

# Law Enforcement News

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(All unsigned articles by Jennifer Nislow.)

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## LEN salutes its 1998 People of the Year:

# Who ya gonna call?

## When there's urgency but not an emergency, tap into Baltimore's successful 311 phone system

By Jennifer Nislow

As a patrol officer in Gardena, Calif., during the 1980s, John Cohen can still remember how frustrating it was to be called back into service to answer a 911 call — one that was not a real emergency — just as he had started up a conversation with a store owner along his beat as part of his own attempt to practice a little community-based problem-oriented policing.

It's a perfect example of what's called chasing the radio, in which cops spend as much as two-thirds of their shift racing from call to call in response to 911 demands. It has become a significant problem over the past few years, say many in law enforcement, as police chiefs under intense pressure to make community policing approaches work see their efforts curtailed by an unofficial and unwelcome policy driven by the outrageous success of the nation's emergency system.

Since its introduction to policing nearly 30 years ago, 911 has become an integral part of everyday life for roughly 90 percent of the American population. It has crept up on law

enforcement, said Baltimore Police Commissioner Thomas C. Frazier, eventually consuming every bit of discretionary time from police. Toll-free and easy to remember, the three-digit emergency number has become a catch-all in some areas. In Baltimore, said Frazier, as many as 40 percent of calls to 911 are not emergencies.

"The joke around here was any time an out-of-town baseball team was playing, the calls to 911 would be for directions to Camden Yards," he said. "The whole concept of the tyranny of 911 begs the question: How do you break it down?"

The Baltimore Police Department may still get calls for directions to the baseball stadium, but they are no longer coming in on 911. Frazier, Cohen, who is now a law enforcement consultant, and former chief Joseph Brann, now the Director of the Office of Community Oriented Policing Services, seized on an idea in 1996 that had been floated in the police community for some time: a three-digit, non-emergency phone number that would provide an alternative to 911.

They believed — correctly, it turned out — that such an alternative would reduce the volume of calls for emergency service and give back to patrol officers that discretionary time that is so vital to community policing strategies. Out of this vision, 311 was developed. It has been operational in Baltimore since 1996 under a much-lauded pilot program, and in the true measure of success, has been replicated in other cities, including San Jose and Dallas.

Because they saw a way to vastly improve policing in the nation's major

cities, and then aggressively pursued that idea — even in the face of initial opposition from the powerful, telecommunications industry — Frazier, Cohen and Brann have earned the Law Enforcement News People of the Year honors for 1998.

"It's a really interesting story," said Cohen, who at 37 has had an unusual breadth of experience in law enforcement. A graduate of Connecticut College who considered medical school before taking up a policing career,

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Cohen



Frazier



Brann

The 1998 Law Enforcement News People of the Year

# Getting nice & comfy? Don't.

## From manpower levels to crime stats, numbers that look good now may yet haunt law enforcement

Analysis

By Marie Simonetti Rosen

You can't get too comfortable.

On its surface, 1998 seemed like a good year. The economic picture remains favorable, as does the crime rate, which continues to drop. Crime slipped from the spotlight as the nation's attention focused on pocketbook issues and, almost unavoidably, sordid intimacies in government. There were more Americans at work than ever before, according to the Labor Department, and the poverty rate is falling, especially among blacks and Hispanics. Generally speaking, as a nation we appear to be richer and safer.

Still, the very attributes that made 1998 a good year for police and the communities they serve have given rise to some specters that very well may haunt law enforcement in the years ahead. Rising prosperity and increased public safety are contributing to a labor shortage the likes of which the field has not experienced since the late 1970s, and its impact is already being felt in a growing number of departments from coast to coast. If the past is prologue, then today's labor shortage will likely affect policing for years to come. Despite hiring

efforts catalyzed by the Office of Community Oriented Policing Services, which so far has added a reported 88,000 officers to 12,000 communities, and reports that the number of sworn officers in state and local departments rose by 10 percent between 1992 and 1996, to more than 660,000, many police agencies find themselves shrinking.

### The more things change...

Twenty-five years ago, the officers and recruits were there but the resources needed to hire them were not. The country was in recession, officers were being laid off and hiring came to a virtual standstill. As the economy gradually improved and police hiring resumed, departments rushed to increase their ranks, in some cases skipping on the recruit screening process — often with dire results. Some of the officers recruited at the time proved especially vulnerable to the influence of the violence and drug money that abounded in the mid-80s. To make matters worse, the bubble in hiring also led to corresponding gaps in the supervisory ranks — a situation that would eventually play a role in numerous major police scandals.

Now, however, the resources are there but the

recruits are not. Exacerbating the problem is the growing wave of retirements of the baby-boomer cops who now have more than 20 years of service. In Washington, D.C., for example, more than 25 percent of the department is expected to retire in the next two years. In Washington state, the Seattle Police Department, which is already operating at 10 percent below authorized strength, is bracing for a wave of retirements that could mean the loss of 150 veteran officers by the end of 1999. In Atlanta, the department's vacancy rate, which is estimated to be 19 percent, became a legal issue when the Mayor's office refused to release the number of sworn officers to a major newspaper. And the manpower problem is not just limited to large departments. In Washington Township, N.J., for example, police officials are concerned about filling five positions, which represents almost 18 percent of the department.

Departments attribute the problem to an nationwide unemployment rate that is currently at a 25-year low and the increased competition from the private sector as well as from other law enforcement agencies. (Some departments are now hiring

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# 1998 was good, but numbers may deceive

Continued from Page 1

officers for the cost of training if they leave prematurely.) Low pay and the preference of applicants for small towns and suburban departments are making it all the more difficult for large departments to fill vacancies. The Charlotte-Mecklenburg Police Department in North Carolina has seen a 16-percent drop in applicants. In New York City, where announcements of police entry exams have typically drawn 30,000 or more applicants, only 2,500 signed up for the most recent test, the lowest number in 20 years. Agencies that provide services for remote areas, such as the New Mexico State Police, are also having a hard time recruiting. When you factor in the chronic difficulty of recruiting women and minorities, the problem only becomes that much more acute.

Far wider nets are now being cast to fill police positions, as departments look well beyond jurisdictional boundaries to woo applicants. Recruiters from the Delaware State Police, for example, traveled out of state to find minority candidates, offering such enticements as opportunities for advancement, tuition reimbursement, and liberal vacation and leave policies. The DSP is also using a private consultant who will assist in recruiting by building long-term relationships with college and university officials.

## The tide turns

A generation ago, police recruits came to the job with military experience and often, thanks to the GI Bill, a college education. Beginning with the early 1980s, police departments found themselves faced with recruits who had neither. At least in terms of education, the tide is turning once again, as a growing number of law enforcement agencies are now requiring some college education. At the upper ranks, a college degree is becoming a virtual necessity. A survey by the Police Executive Research Forum of police chiefs in medium and large cities found that 87 percent have bachelor's degrees and about half have master's degrees, doctorates or law degrees — compare that to the estimated 15 percent who had bachelor's degrees and 4.3 percent who had advanced degrees in 1975. The overwhelming majority of big-city chiefs have degrees in criminology, criminal justice, justice administration, public policy, political science and government. Perhaps predictably, the renewed emphasis on college at the entry level and in the executive ranks has fueled a growth in criminal justice education programs. U.S. News & World Report magazine took note of the trend this year, when, for the first time, it included the academic field of criminal justice policy among its rankings of more traditional graduate disciplines. (The No. 1 program in this area, according to the magazine, is John Jay College of Criminal Justice.)

With recruitment lagging and attrition rates escalating, many police managers find themselves juggling resources. In Seattle, officers were shifted during the summer months from their regular duties to handling emergency calls for service. Police in Memphis and Indianapolis, like many other departments, relied on overtime budgets to get crime down. The understaffed police force in Santa Fe, N.M., is taking longer to answer calls for service; burglaries are not handled for three to four hours. Will the shortage of personnel affect community-oriented policing efforts? To the extent that community policing is labor intensive, as many observers believe it to be, the answer would appear to be, "Don't bet against it." There is little doubt that a sustained labor crisis will put limits on what police can do.

## Things are looking down

And police are expected to do a lot these days, not least of which is bringing down the crime rate, which was long believed to be beyond their control. To that extent, 1998 was a good year for police, with yet another overall decline in the crime rate. From New York to Los Angeles, police departments reported the lowest homicide rates in more than 30 years. For the seventh year in a row, crime is down, with murder and robbery leading the slide. Departments enjoying this continued downturn credit such factors as the economy, the abatement of the violence associated with the crack trade, community policing, the elimination of parole, more police on the streets, aggressive police work, and better trained officers employing the latest technology. Of course, the downward trend is by no means all-encompassing. Some rural areas are reporting crime increases, and even some large cities are not faring too well.

In some notable cases, crime statistics have been intentionally manipulated to make localities appear to be safer than they are, and the anecdotal evidence was enough to make the overall validity of crime statistics a primary issue in 1998. As the year began, New York police officials reported that subway crime statistics had been improperly collected, and were forced to admit that subway crime was about 20 percent higher than first believed. The problem, which was discovered by the department during a routine audit, led to the transfer of a deputy inspector, who may yet face departmental charges. In Philadelphia, it was reported that thousands of nonviolent crimes were simply omitted from the statistics submitted to the FBI for the 1997 Uniform Crime Reports. Burglaries, thefts and robberies were downgraded to reports of missing property; some crimes were downgraded to hospital cases or tossed aside as unfounded, and rapes were entered as "investigative persons." One police official there called crime reporting

a "creative writing exercise."

In Baltimore, police officials were accused of doctoring the numbers of non-fatal shootings by consolidating multiple-victim incidents into a single report. In New Orleans sexual assaults were being categorized as "aggravated burglary." While that city's Office of Municipal Investigation cleared the department of altering crime statistics, it did find enough problems to warrant an in-depth audit of Police Department records. An audit of the Atlanta Police Department was conducted by the Georgia Bureau of Investigation after allegations by a high-ranking police official that supervisors misreported numbers and reclassified violent crimes to make it appear that crime had decreased.

When crime was going up, the validity of crime statistics was largely a problem for researchers and department number-crunchers. But when crime started dropping and, more importantly, when police began taking some of the credit for the decline, the accuracy of crime statistics became a significant issue for police executives and fair game for critics. As the pressure increases on police to reduce crime, so, too, does the temptation for police personnel to tamper with the numbers — sometimes at the cost of their careers. More and more departments are implementing internal auditing procedures, but to some observers, internal audits are not enough. A growing number of critics are calling for outside audits of crime statistics, with some even demanding laws that would require such scrutiny. As one long-time researcher noted, "We wouldn't let hospitals report their own health statistics."

## What the public thinks

Even allowing for the variety of recipes being used to "cook the books," the fact remains that crime is going down. But what about public perception? If information from the private sector is any indication, people have become much more cautious over the years. Some research indicates that as many as 8 million Americans live behind gates in more than 20,000 secured communities. Fourteen percent of homes now have alarm systems — double the number of a decade ago. Surveillance cameras in public places have grown in popularity with little community outcry, and crime prevention through environmental design has become more commonplace for developers. It would appear that a richer country has more to protect.

Still, a USA Today/CNN/Gallup poll released in November indicates that the declining crime rate is beginning to register with the public. The results of the survey suggest that many Americans still fear crime, but for the first time in 10 years more Americans say crime in their area is declining than say it is on the rise. The poll also showed more confidence in the ability of police to shield people from violent crime. Fifty-five percent of

those surveyed say they have a lot of trust that police can do so, a 10-point increase over five years ago.

There may be far fewer crimes, but that development may be lost on the electronic media, as the USA Today survey also showed. The overwhelming majority of Americans, 82 percent, agree that TV news and entertainment programs show more crime and violence than they did five years ago. The Center for Media and Public Affairs, a TV news monitoring group, found that network coverage of murder rose by 336 percent from 1990 to 1995 (not even counting the O.J. Simpson case). During the same period, homicides fell by 13 percent. On the other hand, there have been some changes in print. An analysis by The New York Times of news stories appearing in the city's three major newspapers in May found that there were only one-third as many articles about crime as there were four years ago. Some in the media attribute the decline to the fact that there is simply less crime, while others believe that police are less forthcoming with information and less cooperative than they used to be.

## Another monkey wrench

As law enforcement grapples with a labor shortage that may get worse before it gets better, and with the potential impact of this problem on crime rates, service delivery and community satisfaction, there is also one other monkey wrench to contend with: the future of the COPS office. The largest federally funded police buildup in U.S. history is scheduled to shut down in two years, and many police chiefs and sheriffs are already concerned. As one chief put it, "Never before has local law enforcement had such a powerful voice in Washington. Many of the positive changes we have made in the past four years will endure, but we will lose... a venue for sharing important information about local problems." During the past four years, the amount of Federal money devoted to policing has been substantial. At no time in the nation's history has the Federal Government been more generous to police, and for many in the field this booster shot has yielded results. It has put more cops on the street, it has brought the field out of the technological dark ages, it has produced useful research, it has focused on crimes, such as domestic violence, which heretofore were not a priority, and it has fostered information-sharing. It is probably impossible to establish a direct relationship between these additional Federal resources and the declining crime rate, yet it seems unlikely that the two phenomena are merely coincidental. For most of the reasons cited by officials for the decline in crime, resources were necessary, and the resources were there in 1998. The same cannot yet be said with any certainty for next year and the years to come.



## Ultimate hate crimes

Two particularly horrific hate crimes marred 1998 — the killing of James Byrd Jr., a 49-year-old black man who was tied to a truck and dragged to his death near Jasper, Texas, in June, and the murder in September of Matthew Shepard, 21, a gay student at the University of Wyoming. In the photo at far left, spray paint marks the spot where police found Byrd's head alongside a road. At left, Laramie Det. Robert Hing stands near the fence where Shepard was found beaten, burned and tied to the fence like a scarecrow. (Wide World Photo)



# Pick on someone your own size. . .

While the containment and elimination of youth gang violence has long been a goal of law enforcement nationwide, especially with the problem's recent expansion into rural and suburban areas, 1998 brought the emergence of a new class of underage criminal — the child. In an astonishing number of incidents, children, many of them prepubescent, were the perpetrators of murders, rapes and other violent crimes committed against others their own age or younger.

The level of violence by Nintendo-age youngsters prompted a number of new criminal justice initiatives, including a far greater police presence in public schools and a flurry of legislation aimed at holding juveniles more accountable for their crimes. In a departure from long-established practice, many jurisdictions opted to begin releasing the names of youthful violent offenders.

Arguably the most shocking crime involving children last year was the massacre of students and teachers in a Jonesboro, Ark., schoolyard by two cousins, ages 11 and 13. Mitchell Johnson and Andrew Golden were sentenced on Aug. 11 to detention in a juvenile center, possibly until the age of 21, for the murders of four girls and teacher on March 24. One of the victims, 11-year-old Britany Varner, was the daughter of a detective with the Benton County Sheriff's Department. Investigators believe the shooting were triggered by a breakup that Johnson had with a girl.

The Jonesboro shootings came as the nation was still rebounding from a shooting spree the previous October by Luke Woodham, an 11th grader from Hattiesburg, Miss. Woodham, who stabbed his mother to death and then gunned down nine classmates at Pearl High School, killing two, was sentenced on June 5 to three consecutive life terms. Woodham told police he was under the influence of a satanic cult led by another teen-ager, Grant Boyette, who was charged with conspiracy to commit murder.

On May 20, the nation's attention was directed to the West Coast, where Kip Kinkel, a 15-year-old student at Thurston High School in Springfield, Ore., killed his parents before returning to school and shooting to death two classmates and wounding 22 others in a killing spree in the cafeteria. Kinkel had been arrested earlier that day for bringing a gun to school, but was released into the custody of his parents.

Other incidents involving cruelty and violence among children nationwide included:

¶ In Ohio, four Akron boys, ages 8, 11, 13 and 14, and a 12-year-old girl, were charged in September with repeatedly raping a 6-year-old girl over the course of the summer. Cincinnati investigators looked into allegations that a 5-year-old girl was coerced into having oral sex with one of a group of boys, ages 10 to 12, who promised her candy and jewelry. A 15-year-old disabled boy in Toledo was beaten and tortured in August by a four teen-agers who invited him to play games and watch television. The victim was hit in the knees with a plastic dog bone, hog-tied and had his genitals glued with Super Glue. The boys shoved firecrackers between his buttocks and lit them. They were ordered held in a Lucas County juvenile detention center.

¶ Colorado had its share of teen-age violence, too, last year. Aurora police arrested a teen-age boy for the murders in September of five people. The killings were believed to have been done by two boys, one of whom is also believed to have killed his partner in crime. The victims, Penny Medla, her son, Greg, 18, and his 16-year-old girlfriend, were killed in Medla's home. Some six blocks away, two teen-age boys were found dead. Police believe the victims were all killed by the same pair. They later found the body of 18-year-old Michael Martinez, who witnesses said strode down the street with another boy, opened fire in the house and walked out.

¶ Three Baton Rouge, La., teen-agers, including a 14-year-old, were charged with setting fire to a vehicle belonging to the head of a local Neighborhood Watch.

¶ A 9-year-old Bellwether, Calif., boy became what is believed to be the youngest defendant in a murder case in Los Angeles. He is accused of intentionally stabbing his 11-year-old brother with a steak knife.

¶ In Billings, Mont., a 17-year-old pleaded not guilty to charges he set booby traps that injured Sgt. Mark Cady in a park. The traps included trip wires, barbed wire and rocks suspended from trees.

With the arrests and prosecutions of an increasing number of pre-teens and juveniles, some police departments have had to rethink their tactics, as well. In Chicago, the arrests of two small boys for allegedly murdering 11-year-old Ryan Harris prompted officials to implement new procedures designed to strengthen oversight in homicide cases involving youths. From now on, all confessions in murder cases will be videotaped, unless the suspect declines. Prosecutors will also review the evidence before murder charges are made against youths under the age of 17.

The turnaround came in the aftermath of a hit taken by the Police Department on its handling of the Harris case. The suspects, ages 7 and 8, were apparently questioned without their parents or youth officers present. In October, new evidence emerged that ruled the boys out as suspects, and the charges against them were dropped. Black residents were angered by the department's rush to judgment in the case, and the ease with which police were able to believe that the boys could have been capable of hitting the victim with a rock and suffocating her in order to steal her bicycle.

Incidents such as that involving a Koooskia, Ida., seventh-grader who pointed an unloaded weapon at a teacher's side and mouthed, "Bang, bang," were the sort that led public officials and school authorities to put their heads together and come up with better ways to maintain safety. The Iowa Department of Education reported in November that 61 students in 32 school districts were expelled during the 1996-1997 school year for bringing weapons to school. More than 600 students statewide in Michigan have been expelled on weapons charges since a school weapons rule went into effect in 1995.

¶ Camden, N.J., police officers picked up 75 truants on Feb. 9 during a two-hour sweep, part of an ongoing campaign to curb truancy.

¶ In DeKalb County, Ga., a security evaluation in March recommended that campus security officers complete police training, phase out untrained officers and that a public safety director be hired. The report also suggested that students be barred from wearing clothing or jewelry that "implied acceptance of gang behavior."

¶ South Carolina Lieut. Gov. Bob Peeler proposed that a uniformed police officer be placed in each of the state's 425 middle, junior high and high schools to prevent violence similar to the school shootings in Arkansas and elsewhere.

¶ In New York City, where Mayor Rudolph Giuliani has long fought a succession of school chancellors who opposed giving police the responsibility for safety and security in the school system, the seven-member Board of Education on Sept. 16 unanimously approved a "compromise" plan to have the NYPD take over the management, recruitment, training and deployment of the 3,200 unarmed officers in the Division of School Safety. A deputy chief will be designated by the Police Commissioner to command school safety personnel, and precinct commanders will appoint uniformed supervisors as permanent liaisons to principals in each precinct's schools. The Police Department will also conduct background checks of school safety officers.

¶ The Providence, R.I., Police Department has



A courtroom artist's sketch shows two boys, ages 7 and 8, sitting before Judge Gerald Winiecki as they were charged in the murder of 11-year-old Ryan Harris in August. The boys, who sat coloring during the court proceeding, were released on electronically monitored home confinement, and the charges against them were later dropped as new evidence in the case emerged. (Wide World Photo)

tried to turn violent students around through a program that teaches the non-violent principles of Dr. Martin Luther King. The department's Kingian School of Non-Violence is part of a program dubbed Kids INC, for "Kids Initiating Non-Violent Change." It steers troubled students and their parents to necessary social and medical services, and provides for a pool of police officers to serve as mentors for graduates who might benefit from sympathetic ears when problems arise. The seven-week program takes referrals from officials of the Interim Middle School, which takes in students who have been expelled from regular schools; from Family Court; and the records of police contacts with juveniles. In one potentially controversial aspect, medical evaluations are used to determine whether the cause of some anti-social behavior can be helped with mood-altering drugs.

In addition to programs in the schools, the nation's lawmakers also tried to push forward bills that protected the rights of juvenile offenders while holding them more accountable for violent crimes. For example:

¶ A proposal in Kansas approved by House leaders in March would notify parents if a child age 14 or younger was taken into custody. No youngster could be questioned without the presence of a parent or guardian.

¶ Ohio correctional officials were said to be considering whether stiffer penalties need to be enforced for repeat juvenile offenders. Under current state law, teenage offenders can only be held until they turn 21.

¶ As of Jan. 1, the state of Alaska began requiring that the names of teen-agers over the age of 13 accused of committing serious crimes, including rape, murder and drug dealing, be made public as a deterrent measure.

¶ The state of Ohio was awarded a \$8.7-million grant to support its juvenile justice system at the state and local level. The money is the first to be awarded under the Justice Department's new Juvenile Accountability Incentive Block Grants program. To be eligible, states will have to consider accountability-based reforms including enabling prosecutors to charge youths 15 and older as adults for specific crimes; establishing graduated sanctions for juvenile offenders; and treating delinquency records for felony offenders the same as for adult criminals.

Even police were not immune in 1998 to the plague of gang-related violence that swept across the country from Buffalo, Mo. to Tacoma, Wash.

In California, Los Angeles Police Officer Filbert H. Cuesta Jr., a member of the anti-gang squad in the LAPD's Southwest Division, was believed to have been murdered by members of the notorious 18th Street Gang. Cuesta had been assigned to monitor the gang in 1997 in the Smiley-Hauser area, according to records. He served injunction papers on one of the group's reputed leaders.

Some \$3.7 million in state and federal funding will be provided next year for the city's Community Law Enforcement and Recovery Program, a multi-agency anti-gang initiative launched in 1995.

Among other incidents of gang mayhem throughout the nation:

¶ In Buffalo, Mo., five reputed members of the Five Deuce Hoover Crips were accused of murdering 20-year-old Michael Sutton, who was apparently trying to quit the gang. Sutton was beaten to the point of a brain hemorrhage. His throat was slit and he was left to bleed to death under a bridge.

¶ Tacoma, Wash., police believe that a gang hit was responsible for the murders of four patrons of a Vietnamese restaurant on July 5.

¶ Jose "Uncle Joe" Martinez, a witness to the rape and murder of a 14-year-old Denver girl, testified in October that he did not come forward to police because he was afraid of retaliation from the Bloods street gang. Martinez said he allowed gang members into his home in August with the victim, Brandalene "Brandy" Duvall. She was raped and tortured, then driven into the mountains, where she was stabbed 28 times.

¶ Latino gangs in Oregon added 280 documented members and associates in 1997, according to State Police records. The growth rate is nearly twice that of white supremacists and Los Angeles-style gangs put together.

¶ In Sioux Falls, S.D., gangs are a presence, not a problem, said a Minnehaha County sheriff's investigator. There are around 100 hard-core gang members, authorities estimate, and about 300 "wannabes." The state has an estimated 2,000 gang members in all.

State and local law enforcement fought back the tide, however, with increased enforcement and prosecutions. In St. Louis, law enforcement authorities joined with clergy members, civic officials and others to help teens renounce gang affiliations. The initiative, called "Ceasefire," will provide outreach programs, educational opportunities and job training.



# Justices have their say on key CJ issues

While the U.S. Supreme Court in 1998 once again showed itself to be firmly on the side of law enforcement with a ruling that shields officers from civil liability in high-speed pursuits, the Justices drew the line at allowing officers to conduct field searches on vehicles pulled over for speeding — a move that surprised many in law enforcement, given the Court's recent history of favoring broader public safety goals over individual Constitutional rights.

With a ruling still to come, the Court also considered in 1998 a tough Chicago anti-gang law that is widely supported by the city's low-income communities and public officials, but rejected by civil libertarians as a violation of the Constitutional right to free assembly.

In the first of two unanimous decisions on law-enforcement issues, the Supreme Court in April ruled that "only the most egregious official conduct" that "shocks the conscience" can be deemed grounds for finding a civil-rights violation in the event of death or injury following a high-speed pursuit.

The ruling in *County of Sacramento v. Lewis* stemmed from a California case in which a teen-age passenger on a motorcycle was killed in 1990 when the bike tipped over during a 100-mph chase. The pursuing cruiser, driven by a Sacramento County deputy, struck the boy, throwing him 70 feet. He was pronounced dead at the scene.

The parents of 16-year-old Philip Lewis sued the county and Deputy James F. Smith, asserting that officers who drive recklessly on city streets or

freeways can be held liable for any damage, injuries or death they cause. While state law protects police against such lawsuits, attorneys for the parents contended that Smith violated their son's civil rights, thus making it a Federal case. Their claim was rejected by a Federal District Court in Sacramento, but later reinstated and upheld by the U.S. 9th Circuit Court of Appeals, which found that Smith had shown a "reckless disregard" for life when he entered the chase.

The Supreme Court, however, could find no intent on the part of Smith to hurt or kill the youth, absolving him of liability. While the instant case gave chase after an individual has violated the law, which perhaps he imprudent, the Justices said, it violates no one's constitutional rights.

In another unanimous, highly anticipated ruling last year, and an unusual victory for privacy rights, the Justices told law enforcement in no uncertain terms just how far it could go with regard to searches during traffic stops. The Supreme Court on Dec. 8 overturned a ruling by the Iowa Supreme Court that gave police blanket authority to search vehicles after issuing the driver a citation for speeding or other routine traffic violations.

The case began in 1996 when an Iowa police officer stopped motorist Patrick Knowles to ticket him for speeding, then searched his vehicle and found marijuana and a pipe under the seat. Under the state's singular law, the Iowa court agreed with police in a 5-4 decision that the search was legal.

Chief Justice William Rehnquist, however, found otherwise. Writing for the Court in December in the case of *Knowles v. Iowa*, Rehnquist said the Iowa law was designed to protect officers during an arrest, and does not apply in a "relatively brief encounter" such as a traffic stop. He cited the 1973 case of *United States v. Robinson*, in which the Court ruled that police can search people after arresting them so that suspects may be disarmed and evidence secured.

Those needs are not as great, he observed, when someone is simply being given a traffic citation. Rehnquist himself was tagged for speeding in 1986 in Arlington, Va.

In general, the Court has agreed with law enforcement that police need to be able to take steps to protect themselves during a traffic stop, often the most unpredictable of law-enforcement duties. Concern for officer safety, Rehnquist said, may justify ordering a driver and passengers out of the car, but does not in itself justify a full field search.

During arguments in November, Iowa's lawyer even conceded that under the law, police could search someone stopped for jaywalking.

Another case deemed a setback for law enforcement has the distinction as well of being the first time the Court has ever struck down a government-imposed fine as a violation of the Eighth Amendment's ban on "excessive fines."

The 5-4 ruling stemmed from a California case in which the Government seized \$350,000 in undeclared cash from the luggage of a Los Angeles man who had tried to take the money to Cyprus to pay off a family debt. The money was seized not because it was

determined to be criminal proceeds, but because the man, Husep Bajakajian, had violated Federal laws requiring that any sum greater than \$10,000 being taken out of the country be reported.

Writing for the majority, Justice Clarence Thomas said the forfeiture would have been warranted had Bajakajian been involved in money-laundering, tax evasion or trying to skirt Customs. But as the Government lost only the knowledge that the large amount of money was leaving the country, forfeiture of the entire sum did not correlate to any injury it had suffered.

The 1992 law, said the Court, required "grossly disproportional" forfeitures from "innocent owners," thus it is unconstitutional under the Eighth Amendment's ban on "excessive fines."

An array of community-policing strategies aimed at curbing low-level disorder continue to hinge on a Court decision not due until next summer. The case, which was heard by the Justices in December, involves an anti-loitering ordinance in Chicago aimed at breaking up gang activities.

At its most basic level, the ordinance pits individual civil liberties against the intent of law enforcement to create safe public environments. The appeal before the Supreme Court, *Chicago v. Morales*, is considered among the most important civil liberties case of the past term.

The law, passed in 1992, gives police the discretion to make arrests if suspected gang members, and even those who are merely standing on the street next to gang members with "no apparent purpose," refuse an order to move along. Before being struck down in 1995 by an Illinois appellate court, the ordinance was used to arrest nearly 45,000 people.

"The freedom to engage in such harmless activities [as loitering] is an aspect of the personal liberties protected by" the U.S. Constitution, ruled the Illinois Supreme Court, which called the ordinance "vague and arbitrary." The state court also found it to violate a number of other constitutional rights, including due process, the right to associate with others and the "personal liberty of being able to freely walk the streets."

Many of the those arrested under the law were non-gang members who were never told to disperse, according to Harvey Grossman, legal director for the Illinois Civil Liberties Union. Grossman is representing 66 individuals who had been arrested.

In defense of the law, Chicago's deputy corporation counsel Lawrence Rosenthal claims it imposes minimal inconvenience when compared with the "enormous evils" visited upon the city by street gangs. Its reinstatement is supported by the Clinton Administration and 31 states, among other parties that filed amicus briefs.

During the hour-long argument, Rosenthal asserted that any concern over the law's vagueness is misplaced. All residents have to know is to obey an order to disperse, he said. In a gang-infested neighborhood, added Rosenthal, there is little chance that innocent individuals would be swept up along with gang members, because people there are too afraid to use the streets.

But if proponents of the law thought they would find the Court sympathetic, they were apparently mistaken. During

arguments last month, Justices Souter, Sandra Day O'Connor and Ruth Bader Ginsburg expressed concern about the unguided power given to law enforcement under the ordinance. "There is a concern here about the arbitrariness of police," said O'Connor. "I'm bothered by the seemingly open-ended possibilities of what is and is not an 'apparent purpose,'" said Souter. "Some people with nothing better to do like to sit and watch the cars go by."

A sharply divided Court on Dec. 1 ruled 6-3 that the ban on unreasonable police searches does not extend to "short-term" guests in someone else's home. The decision overturns a ruling by the Minnesota Supreme Court which threw out evidence against two men arrested on drug charges after a police officer peeping through closed blinds saw them putting white powder into bags.

The case dates to 1994, when Kimberly Thompson received a small amount of cocaine in exchange for allowing two men, Wayne Carter and Melvin Johns, to use her apartment for a drug-packaging operation. Thompson was convicted on separate charges and was not part of the appeal to the High Court.

Officers, acting without a warrant, arrested Carter and Johns after finding a gun and a zippered pouch containing cocaine in the car. The defendants tried to have the evidence suppressed on the grounds that the officer's initial observation was a violation of their Fourth Amendment protections. That argument was rejected by the trial court and eventually was appealed to the state Supreme Court, which ruled in the defendants' favor.

In the High Court's ruling, Chief Justice Rehnquist found that the while the apartment belonged to Thompson, Johns and Carter were there only to transact business. Under the Fourth Amendment, he wrote, commercial property is treated differently from residential property. To bolster the finding that their rights had not been violated, Rehnquist cited the lack of any previous connection between the appellants and Thompson, and the relatively short time they were at her home.

"An overnight guest in a home may claim the protection of the Fourth Amendment," wrote Rehnquist, referring to a 1990 opinion, "but one who is merely present with the consent of the householder may not."

In dissent, Ginsburg wrote the Court's decision "undermines not only the security of short-term guests, but also the security of the home resident herself." When a guest is invited to a homeowner's home, whether for licit or illicit purposes, she said, that guest should share the host's shelter against unreasonable searches and seizures.

Another case with considerable potential impact on the criminal justice system is awaiting review not by the Supreme Court but by the full panel of the U.S. Court of Appeals for the 10th Circuit in Denver.

At issue is whether Federal prosecutors are, in effect, offering bribes to cooperative witnesses by exchanging leniency for testimony. A three-judge appellate panel found in July that a Federal anti-bribery law should apply to the Government as it does to every one else.

The ruling stems from a 1997 case

in Wichita, Kan. in which 25-year-old Sonya E. Singleton was convicted as being part of a drug distribution conspiracy on the basis of testimony given by a drug dealer in exchange for a reduced sentence.

The case is scheduled to be heard by the full appeals court in 1999. Government prosecutors working on the appeal said the appellate panel's ruling had caused chaos during the 10 days it was in effect before the full court enjoined it. Organized crime prosecutions, for example, had been jeopardized because it was unclear whether prosecutors could rely on crucial testimony from cooperating witnesses.

*Following are a sampling of other rulings — from both the Supreme Court and state and local courts — that will affect the workings of the nation's criminal justice system in the months and years ahead:*

¶ Federal judges will be given more leeway in setting prison sentences for cocaine trafficking after a unanimous decision by the Supreme Court in April, which weighed the disparity in sentencing for violations involving crack or powder cocaine. The Court ruled that when a defendant is convicted of violating Federal drug laws with both forms of the drug, it falls to the judge to decide on which drug the sentence will be based.

¶ A Federal judge in Omaha in October ruled that a man can be convicted of traveling across state lines to have sex with a child even if that child does not exist. In a case involving a Minnesota doctor who answered a fictitious ad offering such a sexual encounter, Senior District Judge Lyle Strom determined that intent to commit the act was all that was needed. He cited a Federal murder-for-hire law in which mere intent can lead to conviction.

¶ Free-speech claims by two men convicted of stalking crimes after threatening women by phone and letter while in prison were rejected without comment in April by the Supreme Court. While setting no national precedent, the Court's rebuff of the challenge to laws in Virginia and the District of Columbia did not preclude the possibility that it may some day review an appeal to a stalking law.

¶ The Court has agreed to rule on a Florida case questioning whether police need a warrant to seize and search a car under a state forfeiture law that authorizes them to take possession of vehicles used to commit drug violations. In *Florida v. White*, police videotaped a car used to deliver cocaine. They then went to the owner's office and took control of the vehicle in the parking lot, under the state's Contraband Forfeiture Act. Crack cocaine was found in the ashtray during a search. In a 5-2 decision, the Florida Supreme Court ruled that in the absence of "extenuating circumstances," police need a warrant, despite the law's apparent authority to the contrary.

¶ The New Jersey Supreme Court ruled in December that police may not conduct random checks of a driver's personal information by using their cruiser's computer. Police may only use their mobile computers to determine whether a car has been stolen or whether a driver's license has been suspended or revoked. If the initial check comes up negative, no further information may be accessed.

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# Attention, prophets of gloom: Crime is down again

Score one for the optimists and zero for any pessimists in law enforcement who hedged their bets that reported crime in the nation would continue its downward slide. According to the FBI's Uniform Crime Report released in November, violent offenses and property crimes fell 3 percent and 2 percent, respectively, in 1997 from 1996 levels — the sixth consecutive year that crime has dropped.

Some 13.2 million offenses were recorded in the United States during 1997, according to a Crime Index based on submissions by more than 17,000 city, county and state law enforcement agencies. Murders and robberies, the UCR found, declined by 7 percent, while aggravated assaults fell by 1 percent and forcible rape declined slightly.

The number of violent crimes, said the UCR, was 15 percent below 1993 levels, although still 4 percent above what had been recorded a decade ago. Overall property crimes decreased by 3 percent from a year earlier, with burglary and larceny-theft each showing 2-percent declines.

The continuing drop in the nation's crime is in large part an "undoing" of all that made it go up during the 1980s, said Alfred Blumstein, a professor of criminal justice at Carnegie-Mellon University in Pittsburgh. "What made it go up was predominantly young people with guns committing crimes," he told Law Enforcement News. "What's making it go down is that young people are not doing what they used to do and they are not carrying guns the way they used to."

Blumstein's assertion is supported by a decrease of 4 percent in the juvenile arrest rate for violent crimes, according to the UCR.

A variety of factors have played a role in reversing the earlier trend, Blumstein noted, not least of which has been a downturn in the demand for illicit drugs. The drug market, he said, is not recruiting juveniles the way it has in the past. At the same time, improved

economic opportunities in the legitimate market have contributed to giving teen-agers a greater stake in conformity.

Also effective has been the effort by police to confiscate guns from juveniles, further discouraging them from carrying firearms. "There have also been community efforts to establish truces among gangs," he said.

In Boston, where the homicide rate fell by 27 percent in 1997 from 1996 levels, it has taken a comprehensive approach, explained Sgt. Margo Hill. "It's not just one magic bullet, it's a con-

year, a 7-percent drop from the 1996 level and the lowest total since 1967. Based on supplemental data for 15,289 of those incidents, males made up 77 percent of murder victims in 1997. Eighty-eight percent were 18 or older.

Ninety percent of assailants were male, the UCR found, with 87 percent of them age 18 or older. Fifty-three percent of offenders were black, while 45 percent were white. With regard to victims, however, the percentage of blacks and whites was nearly equal, at 49 percent and 48 percent, respectively.

A number of cities saw their mur-

detectives investigating a gamut of offenses, from homicide to white-collar crime, said DeFillo.

The department has also hired hundreds of additional foot patrol officers, beefing up the force from 1,285 in April 1997 to its present level of 1,640. In 1998, he said, murders have fallen another 21 percent over last year's figures.

"We've made 30 percent more arrests this year compared with last year," DeFillo said. "We have every component of the department — including the traffic division — dealing with felony crimes."

According to the UCR, 15.3 million arrests were made by law enforcement agencies across the country in 1997, an increase of 1 percent over 1996. The greatest number of arrests — roughly 1.6 million — were for drug-related offenses.

Among the most dramatic surges in the nation with regard to drug arrests has been in North Dakota, where the number for juveniles has skyrocketed by an astonishing 848 percent during the past six years, from 27 arrested during 1992 to 229 in 1997. During that same six-year period, adult arrests for drug offenses also chalked up a triple-digit increase — approximately 117 percent — from 459 arrests in 1992 to 998 in 1997.

"This is bad news," state Attorney General Heidi Heitkamp told The Bismarck Tribune. "This signals to me what is a very dramatic problem among our young people in North Dakota."

The statistics that are the most controversial and difficult to assess are

those representing the number forcible rapes in the country. According to the FBI's tally, approximately 70 out of every 100,000 females in the country were reported rape victims in 1997 — a total of 96,122 offenses that represents a 1-percent drop from the previous year's figures.

In New Rochelle, N.Y., just north of New York City, the number of rapes doubled from 1996 to 1997, from five to 10. None of them were stranger rapes, but rather were acquaintance rapes and statutory rapes that involved an underage female, said Capt. Kevin Kealy. "We have not had some sexual predator attacking women in stairwells," he stressed.

Actually, if that were the case, it might be easier to take preventive measures. Under those circumstances, said Kealy, any number of law enforcement approaches could be used, such as the deployment of undercover officers. But date rape is "probably not" something law enforcement can prevent, he conceded.

Among other violent crimes, the UCR reported a 7-percent drop in robberies compared to 1996 levels. An estimated 497,950 robberies were perpetrated nationwide last year, or 186 per 100,000 population. Over 1 million aggravated assaults were reported to police, a 1-percent decline from a year earlier. Firearms were used in 20 percent of such offenses.

Larceny-theft was said to account for approximately 67 percent of all reported property crimes. Victims lost a total of more than \$4.5 billion, or \$585 per offense.

**"What's making it go down is that young people are not doing what they used to do and they are not carrying guns the way they used to."**

certed effort by a lot of people," she said. "It's a willingness to admit that you can't do it all at first, and then you get enough people who can do it with you. It's a collaborative effort that involves not just police and EMS, but youth workers, clergy, the schools, anyone."

Among the regions of the country, the lowest proportion of crimes was found in the Northeast, which had 3,734 per 100,000 population — just 15 percent of the national total. The highest percentage, 40 percent, was found in the South, with 5,547 per 100,000 inhabitants. In the West (24 percent), there were 5,335 offenses per 100,000, and in the Midwest (22 percent), 4,572 per 100,000.

Still, crime was down in every region compared with last year's figures. Within the nation's metropolitan areas, the Crime Index showed a reported 5,325 offenses per 100,000 inhabitants, while 5,207 were recorded per 100,000 for suburban areas, and 2,064 per 100,000 in rural counties.

There were 18,209 homicides last

year, including such once-troubled locales as New Orleans, down 23.9 percent, and Newark, N.J., down 38 percent.

In both cities, in fact, crime fell by double-digits across the board. For example, robberies in Newark fell by 18 percent during that period, and assaults by 16 percent. In New Orleans, robberies declined by 30 percent, assaults by 17.4 percent and burglaries by 18.5 percent.

"It's not just one specific thing we did to reduce crime," said Lieut. Marlon DeFillo of the New Orleans police. "The Superintendent [Richard Pennington] has revamped the Police Department, particularly in the area of accountability and communication. It's just been a whole new department in terms of how we go out and investigate crimes," he told LEN.

In addition to a COMSTAT program modeled after the one in New York City, one of the key changes has been the decentralization of the detective bureau in New Orleans. Each of the city's police districts now has its own squad of



## Swept away

A tire is all that's visible as rescue workers begin to dig out the bodies of California Highway Patrol officers Rick Stovall and Brit Irvine, who died Feb. 24 after their cruiser was buried in mud in the Cuyama River near Santa Maria, Calif. The officers were answering a disabled-motorist call when the highway they were on collapsed into the river, which was swollen by an El Nino storm. (Wide World Photo)

### 1998 — the year in review:

## DARE loyalists unfazed by critical new studies

Despite two studies last year that found the Drug Abuse Resistance Education program to have only a short-term impact on elementary-school age children and little or no effect on older youths, supporters of DARE remained unshakable in their belief that the cherished program does indeed make a profound difference in the lives of the nation's young people.

The first study, conducted by Prof. Dennis P. Rosenbaum of the University of Illinois at Chicago, found that DARE's effects dissipated with the passage of time.

Tracking some 1,800 Chicago area and rural students over a period of six-years, from fifth- and sixth-grade into high school, Rosenbaum found that taking the DARE course made little difference with regard to future drug use. In fact, Rosenbaum asserted, the program may have actually contributed in some cases to involvement with drugs and alcohol.

"The main finding is that levels of drug use... did not differ as a function of whether students participated in DARE or did not," the report concluded.

In another study released later in the year, criminologists at the University of Maryland included

DARE in a roster of crime prevention programs that don't seem to work. While the study's lead author, Prof. Lawrence Sherman, said that DARE does appear to help in creating a stronger bond between children and law enforcement officers, it does not seem to perform its intended function of keeping kids away from drug use.

It is many of these very same officers who remain unpersuaded by last year's research on the DARE program. Just because the effects of DARE may not be quantifiable, they insist, does not mean the program does not work.

Said one DARE officer, "How do I measure success or failure? I may never know. Unlike seeing the physical evidence of graffiti, I don't know if you can 'quantify' how many fifth-graders are going to grow up using drugs. If I have taught one child to say 'no' to drugs who may have said 'yes' without DARE, we all win."

Rather than demeaning the program, said another supporter, perhaps law enforcement should focus its energy on "improving and building upon the greatest drug-prevention program to ever come in the schools across America — DARE."



# FBI, others dive into the gene pool

What are a few cells from the inside of a person's mouth, when they could mean significant cutbacks in the level of the nation's property crimes and perhaps the clearance of more serious, unsolved cases? That's what some in the nation's law enforcement community asked this year of civil libertarians who put up a strong defense in preventing DNA testing to go beyond those arrested for violent crimes.

The debate shifted to high-gear in October when the FBI went on line with its new data base, the National DNA Index System. A project 10 years in the making, the system will enable laboratories throughout the country to exchange and compare genetic samples electronically. The FBI's computer currently holds the DNA samples of 250,000 convicted felons and genetic evidence from the scenes of 4,600 unsolved crimes.

A problem still to be overcome, however, is the uniform collection of samples from state to state. Eight states, including Maine, Vermont, Mississippi and Wyoming, have not yet implemented a 1994 federal statute giving them the authority to take blood samples from some convicted felons.

In New York City, Police Commissioner Howard Safir proposed in December that city police begin taking DNA samples of every arrestee at the same time that fingerprinting is done. Under his plan, a swabbing would be taken from inside the suspect's cheek and logged into a data base for future reference.

"I'm asking myself how am I going to continue to reduce crime," Safir told *The New York Times*. The DNA plan, he said, is a strategy aimed against repeat offenders, especially car thieves and burglars.

At present, New York State allows DNA samples to be taken only from felons convicted of 21 types of violent crime, including murder, rape and manslaughter. Only Louisiana takes biological samples from every person arrested.

Safir's proposal was barely made before it drew fire from civil libertarians. Norman Siegel, executive director of the New York Civil Liberties Union, objected to the plan on the grounds that collecting personal genetic information would violate Fourth Amendment protections against unreasonable search and seizure.

Attorney Barry Scheck, who cemented his reputation as an expert on DNA during the murder trial of O.J. Simpson, said the idea was not unreasonable, but was one whose time has not come. The Police Department, he said, should instead discontinue its practice of throwing out evidence in rape cases after five years. Scheck said that evidence from all unsolved rapes and old homicide cases should be tested for DNA.

While to some, the prevention of property crimes may seem a stretch in terms of why DNA testing should be part of the hooking procedure, a viable exception might be found in the case of burglary, after state researchers in Florida found that burglary is often a stepping stone to more serious crimes, such as rape and murder. In cities across the country, initiatives are now in the planning stages to investigate the hypothesis.

"A lot of people are in [burglary] for the thrill of breaking into somebody else's place," said David Coffman, head of DNA analysis for Florida's state crime lab. "It shows a basic trait in the individual, and they're going to progress."

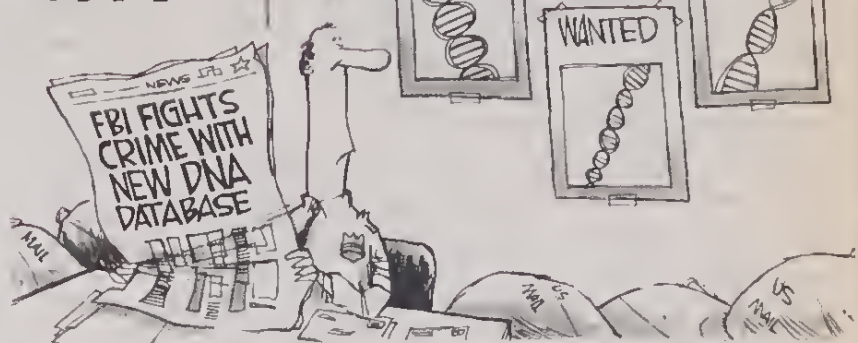
Perhaps predictably, the findings caused a number of states to begin taking DNA samples from burglars as well as from more violent criminals. Fourteen states currently collect genetic materials from burglars, including Florida and Virginia, which routinely match biological evidence from crime scenes against a data base of DNA collected from suspects. The results are similar to those found in the United Kingdom, where two-thirds of 27,099 crimes solved in the past 18 months using a DNA data base have been linked to burglars.

However, police in England, unlike their counterparts in the United States, can take a genetic sample from a suspect merely on the basis of suspicion. While law enforcement over there find DNA sampling to be a highly cost-effective tool, with a database that currently holds 360,000 entries, forensic laboratories in the U.S. are finding themselves overextended.

"I'm reaching the point where my examiners can't meet all of the priority [cases]," said Paul Ferrara, director of the Virginia Division of Forensic Science. "If something doesn't happen fast — and I don't know what that's going to be — cases are going to get tossed."

Only one-third of the 450,000 DNA samples

## POST OFFICE



drawn from convicts have so far been analyzed by the nation's laboratories. Forensic technologies are enabling police to collect increasingly minute pieces of evidence, and — due to its nearly foolproof nature — DNA testing is being requested more frequently by prosecutors. In St. Petersburg, Fla., for example, Sgt. Michael Puetz in October gathered up the spit left on the sidewalk by a rape suspect, gaining enough evidence to charge him in two of the attacks.

Police labs have turned to Congress for some measure of financial relief. Some agencies have taken matters into their own hands. In June, the Denver Police Department said *carpe diem* and became one of the few local departments with the in-house capacity to analyze DNA evidence. A \$198,000 grant from the National Institute of Justice, coupled with local funding, will allow scientists to conduct procedures that test 15 identifying features of a DNA molecule. The money will also be used to build a computer system that will link Denver to the FBI's national data base.

The ability of prosecutors to use DNA evidence has been expanded by courts in some parts of the nation, and limited in others. For instance:

¶ Prosecutors in King County, Wash., in October used DNA from a pit bull to convict two Seattle men of a 1996 double murder. The dog, Chief, was killed along with his owners. His blood was tested to see if it matched blood found on the clothing of one of the defendants. It marked the first time animal DNA had been

used as evidence in a criminal proceeding.

¶ Plans to build a computer data bank of prisoners' DNA in Massachusetts were blocked in August by a Suffolk County Superior Court judge, who ruled that forcing prisoners to submit blood was unconstitutional. Some 1,200 samples already taken by state officials were impounded.

¶ A Federal judge in Connecticut ruled in April that DNA samples may be collected from convicted sex offenders and kept by state authorities. The decision stemmed from a claim by at least two prison inmates that forced DNA sampling was an unconstitutional violation of search-and-seizure protections.

The next word regarding DNA evidence may come from the highest levels of the Justice Department, after a Federal advisory commission in late November issued an exhaustive report on the subject and sent it on to Attorney General Janet Reno for her review and approval.

The first-of-its-kind report, prepared by the National Commission on the Future of DNA Evidence, contains 110 pages of recommendations, including five specific proposals on how judges, prosecutors and defense attorneys should handle DNA-based appeals from convicted criminals.

Since the early 1990s, DNA testing has helped exonerate an estimated 55 men convicted of rape, murder or both.

# Blocking roads to make inroads against crime

It might not be the only solution to gang- and drug-related violence in America's cities and suburbs, but in several areas street barricades and secured blocks are showing that they can make definite inroads against crime.

In New York, police are continuing to bring back to health two drug-infested blocks in the city's Washington Heights section through a two-pronged approach aimed first at ridding the streets of entrenched drug activity and then preventing a backslide into lawlessness. The Operation Take Back strategy was implemented on 161st Street and 163rd Street between St. Nicholas Avenue and Broadway, both chronic drug locations.

On 163rd Street, police erected barriers that closed it to all but emergency or legitimate vehicular traffic, rendering drive-by drug sales nearly impossible. For one month, uniformed officers were posted at either end of the

block 24 hours a day to make sure drug dealers didn't return.

Officers were also assigned to monitor the block, helping residents get access to city agencies that carted garbage away and improved street lighting. They also applied nuisance-abatement ordinances to shut down suspected drug areas not covered under the initial net thrown by a multiagency anti-drug offensive in 1996 that resulted in 18 arrests of drug dealers, all of them linked to a major trafficking organization.

On 161st Street, the same task force, known as the Northern Manhattan Initiative, started by snaring 14 drug dealers in September 1997 and then began organizing residents to form block associations and other groups that would help stabilize the street.

Across the Hudson River in Newark, N.J., meanwhile, barricades were a common sight at street entrances in areas targeted by police under strate-

gies implemented by the Violence Reduction Task Force, a unit composed of 115 newly graduated officers and 38 freshly promoted sergeants aimed at controlling and deterring crime through a secured environment. Barricades played a crucial role in the approach.

After blocking off streets, officers checked license plates and towed unregistered vehicles. Individuals in the area who were found to have outstanding warrants were arrested by the Fugitive Drug and Violence Task Force. Finally, the department's Community Affairs Division handed out flyers containing crime prevention tips and organized block watches.

Police Director Joseph Santiago and his top uniformed commanders are continuing to monitor the effectiveness of the program.

The chances of stopping a car with 10 kilos of cocaine are rare under the street-barricade approach, police in In-

dianapolis acknowledge, but this past year they set up six neighborhood roadblocks in hopes of at least throwing a monkey wrench into the city's drug-trafficking machinery.

Throughout the year, the Indianapolis Police Department made more than 1,161 car stops and 109 arrests, including 55 for drugs and 49 that were driving-related. The practice was temporarily halted by a lawsuit filed by the Indiana Civil Liberties Union, but a seventh roadblock was conducted in October.

In Bridgeport, Conn., it wasn't crime-control effectiveness but rather esthetics that underlay plans this year to tear down its barricades. The state's second-largest city had put up strategic walls on streets in high-crime areas beginning in 1993 as part of an approach utilizing the principles of "crime prevention through environmental design." The barriers were part of a seven-

point anti-crime plan labeled Operation Phoenix that has effected a sharp turnaround in some of the city's more blighted areas.

"The results have been quite dramatic, with some areas seeing declines in some crime categories, such as burglary, gun violence and others, of as much as 85 percent," said Police Chief Thomas Sweeney.

But the concrete barricades proved to be undeniable eyesores, and residents complained they had become magnets for garbage and graffiti. State Representative Edna Garcia asserted in an interview in *The New York Times* last year that communities were being denied municipal services because of the barriers. She filed a complaint with the U.S. Justice Department's Civil Rights Division which outlined what she claimed are the detrimental effects the walls have on her neighborhood, the predominantly Latino East Side.



# The unforeseen legacy of Megan's Law

It seemed a simple enough plan: Give communities the chance to protect their children by making the whereabouts of potentially dangerous sex offenders public knowledge. But how public? And how many convicted offenders fall under the heading of a potential threat? And what do you do when community residents prove to be more dangerous than the criminals they've been warned about?

Like all simple plans, Megan's Law has gotten very complicated somewhere between its passage in New Jersey in 1994 and the implementation of the similar laws it has spawned in 49 states since then.

In February, the U.S. Supreme Court gave Megan's Law supporters a needed boost when it rejected the argument that community notification adds additional punishment. The challenge was brought on behalf of offenders who were convicted and sentenced before the statutes took effect in New York and New Jersey. Just one month later, the impact of Megan's Law had been felt around the nation by both offenders and lawmakers:

¶ On Feb. 17, the Camden County, N.J., Prosecutor's Office held its first Megan's Law training session for 120 school principals and superintendents. A similar session was held for day-care center operators the next day.

¶ In a unanimous decision, New York State's highest court upheld the notification and registration provisions of the state's Megan's Law, calling them administrative actions, not criminal penalties.

¶ Wisconsin's Assembly passed legislation that calls for sex offenders to be monitored for life. Judges could place anyone convicted of serious sex offenses on permanent supervision fol-

lowing release from prison.

¶ Parole would be denied to sex offenders under a bill approved on March 2 by the Kentucky House. It also creates a special sentence of life without parole for some crimes.

¶ Officials at Wesleyan University in Connecticut used E-mail to disseminate the name and address of a man convicted of raping a student in 1989. The message was sent to all 2,700 full-time undergraduates and 800 faculty members and staff.

Only the state of New Mexico did not have some kind of community notification legislation on the books as of this year. New Jersey's law has been the model for the rest of the nation as it tries to balance the constitutional rights of ex-cons with the concerns and fears of residents who may live around them.

Most states have implemented laws combining passive and active elements. In California, for example, the law allows for the notification of community residents but does not require it. Information about convicted sex offenders is provided via the Internet or on a CD-Rom available at local police stations.

Under an active notification policy, such as those implemented in New York and New Jersey, offenders are classified by three levels of threat. At the highest level, police can go door-to-door notifying residents that a convicted sex offender has moved into the neighborhood.

Both types of policies have come under fire, however. While civil libertarians and other opponents of Megan's Law fear the misuse of passive notification devices and mistakes that could ruin the lives of innocent individuals, those who strongly support Megan's Law argue that the information provided does not go far enough. Only a

partial list of sex offenders is available, not giving residents fair warning.

As of mid-January last year, only 50 Level 3 offenders — the highest level — were among the 2,000 ex-cons registered under New Jersey law. In Georgia, 55 of 268 convicted sex offenders have failed to register with local sheriffs after leaving prison. Of those, 67 percent had sexually assaulted children.

But police agencies throughout the country have been enforcing the law right up to its court-imposed limitations.

¶ In Fort Smith, Ark., for example, police resumed community notification after a Sebastian County Court Circuit Judge ruled against a local offender who contested her classification level and challenged the law as unconstitutional. Pamela Ann Dorrough, 41, pleaded no contest in 1996 to first-degree violation of a minor. She was classified as an offender most likely to commit sex or child abuse offenses again. City police said they would go door-to-door within a three-block radius notifying neighbors of a Level 3 offender in their midst.

¶ The Los Angeles County Sheriff's Department was ordered by the Board of Supervisors to write to thousands of residents who live on the same block as a "high risk" violent sex offender. The new policy, which would make formal notification to residents in the county's unincorporated areas, is among the most aggressive in the nation. The letters, due to go out in November, encouraged residents to go to local sheriff's stations to get more information. The offenders' addresses will not be made available.

¶ In Jackson Township, N.J., where, coincidentally, 15-year-old Samuel Manzie in 1997 had sexually assaulted and strangled an 11-year-old neighbor, police circulated fliers about the return

to the area of a man convicted of murdering a 12-year-old Virginia girl in 1982.

Under fire from critics, state law enforcement officials said they were exercising their longstanding legal authority to caution residents against dangerous individuals. The warnings about the man, 40-year-old Glenn Barker, were not covered by the same rules that govern community alerts under Megan's Law, said Attorney General Peter Verniero. Police are not prevented from issuing community notifications about anyone they deem a threat who is not covered under the act.

But residents themselves, however, may not reveal the identity of these individuals to others outside their households. This provision has made for some intriguing twists in the law as it continues to evolve.

A New Brunswick, N.J., newspaper found itself in hot water after publishing a notification flier on its front page. The notice was intended to be seen only by neighbors of former state correction officer Ronald Terpak, 43, a convicted child molester who had moved into his mother's Rahway home after serving a full three-year sentence for molesting an 8-year-old girl in 1991. Terpak was convicted of another sexual assault 10 years earlier.

The Home News Tribune's publication of the notice prompted strong statements from Gov. Christine Todd Whitman and Attorney General Verniero, who said the press should keep the names of sex offenders confidential.

This policy has also touched on an area dear to suburban homeowners — the property market. Under the current law, those selling their homes may conceal from prospective buyers the fact that a sex offender is living in the neighborhood. But the sponsor of Megan's Law in New Jersey said he will be rethinking that part of the legislation.

Perhaps the biggest concern surrounding Megan's Law, however, is the urge by some to protect their loved ones through acts of vigilantism — and the impact this fear has on sex offenders.

¶ In the most serious case of vigilantism in the country to date, a 23-year-old paroled robber, Jimmy Johnson, fired five shots into the Linden, N.J.,

home of convicted rapist Frank Penna on June 16. Johnson's bullets narrowly missed hitting 66-year-old Joan Bazydlo, Penna's upstairs neighbor.

The gunfire came just days after a flier with Penna's picture and address was distributed throughout the neighborhood. Penna's home across the street from a school, the age of his victims and a misdemeanor conviction for lewdness put him on a list of high-risk offenders. Penna and his lawyer tried to fight the distribution of fliers, but lost.

Johnson's family claims he just "snapped" when he found out a rapist was living just a few doors away from his 9-year-old sister. He is due to be sentenced on Feb. 19 and faces up to 10 years.

¶ A 59-year-old convicted child molester whose identity was made public under the California's Megan's Law was asked to leave an Anaheim motel on Sept. 14 after picketing by more than two dozen protesters. The ex-offender had served eight years on charges of molesting boys younger than 14.

¶ Michael Allen Patton, 42, hanged himself from a tree in Santa Rosa, Calif., after his 22-year history of sexually assaulting women and young girls was made public. He was one of 1,600 people in the state classified as high-risk. Only adults received the one-page flier with a color photograph of Patton, said a Santa Rosa police official.

"We've discussed it, but there isn't anything we could've done to prevent this as far as I see," said Sgt. Ernesto Olvera, supervisor of the department's sex crime and family violence unit.

¶ A convicted child molester in Maine fatally shot himself on New Year's Eve, leaving behind a message that said he feared living in a world with no forgiveness.

¶ Angry residents of Dilley, Ore., thought about burning down the home of a convicted sex offender in their midst, then came up with a better, less violent plan. They bought the house out from under him. Three neighbors struck a deal with the mother of Jonathan I. Hawes, 29, to purchase her home for \$250,000. Hawes had served nearly five years in prison for sexually abusing two 10-year-old girls he followed home from school in 1993.



## Ground zero

A Federal agent uses a trained dog to search for evidence at the motor room of a chairlift at the Vail Ski Area in Colorado, after an arson fire on Oct. 19 destroyed three buildings and damaged four chairlifts at the resort. Officials called the fire an act of "eco-terrorism."

(Wide World Photo)

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# Facing up to some unflattering profiles

The specter of racial profiling — motorists pulled over for what some call the crime of "Driving While Black" — haunted police agencies across the country last year, prompting new state legislation and Congressional action to authorize a new Justice Department study on the practice.

Under the proposal, the DoJ would collect data on a motorist's age, race or ethnicity as well as the alleged traffic violation cited as the reason for the stop by state and local police. It would also describe whether a car search was made, and if so, whether contraband was found.

Introduced by Representative John Conyers (D-Mich.), the legislation is described as an attempt to compile concrete evidence on whether or not police bias is a factor in traffic stops by state and local authorities.

"There are very few of us in this country who have not been stopped at one time for an alleged traffic violation that we though really constituted harassment," he said. Conyers disclosed figures showing that blacks, who make up 14 percent of the nation's population, account for 72 percent of traffic stops.

A bill under consideration by the Rhode Island Legislature closely follows Conyers's bill. It would require the State Patrol to collect personal data on the occupants of cars stopped, including sex, age and ethnicity.

The legislation, which has the backing of the American Civil Liberties Union, faces strong opposition from the State Patrol, however, which citing the unfair administrative burden it would impose. The eight additional data elements would require 530,000 data entries, said Col. Edmond Culhane, the patrol's Superintendent.

Culhane accused the bill's sponsors of targeting the State Patrol which, he

said, has much less contact with minority motorists than do their counterparts in the state's major cities. He said there is only one documented bias complaint against the agency, made four years ago, in which a black driver from a trucking firm claimed to have been stopped unfairly. A black officer was the subject of the complaint, which was later determined to be unfounded.

The controversy simmering in Rhode Island was mirrored by other alleged racial profiling incidents throughout the United States in 1998.

¶ In New Jersey, State Police came under a hailstorm of criticism in April after troopers shot and wounded four black and Hispanic men who were on their way to a basketball camp in North Carolina. Lawyers for the victims dismissed official claims that the men had been stopped for going 74 miles per hour in a 55-mph zone, saying neither the troopers nor their cruiser were equipped with radar. Attorney John L. Weischel said that one of the troopers, John Hogan, has pulled over eight vehicles since 1995 of the same make driven by the men that night. All of the vehicles, said, were driven by Hispanics and resulted in seizures of heroin and cocaine.

According to the official account of the incident, the van swung into reverse when it was pulled over, striking Hogan and causing him to fire. It then struck his cruiser, rolled onto the roadway, striking a Honda Accord and causing it to burst into flames after hitting the center divider. The van then allegedly drove forward, straight at the troopers, forcing them to shoot at the van's occupants.

However, witnesses who came forward said the official account differs in key ways from what they saw. For example, Eric Jusino, the driver of the Honda, said through an attorney that he



New Jersey State Police Sgt. John Flynn looks through the windshield of his cruiser next to a small video camera mounted inside the car. The unit is one of scores that were installed in NJSP cruisers in December in response to the public outcry over a sensitive traffic-stop shooting incident. (Wide World Photo)

saw troopers shoot at the van after it had rolled down into a ditch along the turnpike, not while it was moving across the road. His car, he said, burst into flames sometime later rather than immediately, allowing himself and a passenger to escape without harm.

Col. Carl A. Williams, the State Police Superintendent, emphatically denied any racial profiling by troopers, issuing a strongly worded statement after the incident that said in part: "The New Jersey State Police does not condone the use of racial profiling as a basis for any type of police action or motor-vehicle stop."

¶ The American Civil Liberties Union and 11 black motorists named Col. David B. Mitchell, head of the Maryland State Police, and 22 other officials and troopers as defendants in a lawsuit charging the agency with using racial profiles as a basis for pulling

over motorists suspected of running drugs and guns on I-95. The state is one of a handful that keep computer records of such stops to track patterns of racial discrimination — an effort initiated in 1993 to quash an earlier suit. The ACLU had previously charged in court papers that the State Police maintained two sets of books to record the number of times blacks are stopped by troopers. One set, the group said, is used to satisfy monitoring requirements, while the other is for internal use and appears to contain additional reports about black motorists.

¶ The NAACP in Connecticut launched a statewide program called "Operation Blind Justice," which will track the frequency with which police use profiling to stop black residents. In a related development in Connecticut, current and former Avon officers testified in a civil lawsuit in September that

race was sometimes used as a factor when deciding whether to stop people driving through town.

¶ Aaron Campbell, a major with the Miami-Dade, Fla., Police Department, was convicted on April 3 of resisting arrest, but acquitted on a charge of battery against an Orange County sheriff's deputy whom he accused of using a profile to pull him over. Campbell wrestled with the deputy and was sprayed with pepper gas during the confrontation. Deputies said Campbell was stopped for an improper lane change and having an obscured license tag, but a judge ruled the stop illegal.

¶ Apparently racial profiling is not limited to drivers. Charlie King Sr., a black resident of Eastpointe, Mich., last summer filed a \$15-million lawsuit along with his two sons in which they claimed that police routinely stop any black men who are riding bicycles.

## 1998 — the year in review:

# Discrimination: a \$5 word & an even costlier lawsuit

Black, white, female, over 60 — whatever the race, gender or age, police officers across the country in 1998 yelled "discrimination," prompting law enforcement agencies to take action in hopes of avoiding a costly lawsuit, a look-see by the Justice Department or the loss of sworn personnel.

¶ The Illinois State Police was ordered by a Federal judge to make every effort to contact 5,000 white applicants rejected between 1975 and 1990 as part of an affirmative action program that favored minorities and women. Judge Harry D. Leinenweber had found in 1997 that the agency used reverse discrimination to diversify its ranks. This past April he ordered the ISP to promote or give retroactive seniority to 12 white troopers who challenged the program. They will share \$205,000 in back pay and damages.

¶ A \$300-million lawsuit was filed against Los Angeles Mayor Richard Riordan by police Sgt. Ronnie Cato, who claims Riordan slandered him by calling him a racist. Cato, a vice president of an organization of black police officers, had criticized the character of former deputy chief Mark Krockner, say-

ing he treated white officers better than black officers.

¶ In Dayton, Ohio, 15 of the city's 20 SWAT team members quit over the inclusion of a female officer who they claim is unqualified to join the elite unit. Officer Monica Hunt had been turned down for a spot on the squad, but filed a grievance asserting she was rejected due to her gender. After that, Col. John J. Compton, the agency's second-in-command, named her to the team. Sgt. Ellis L.R. Willis, one of those who submitted his resignation, said that most of the team members rejected Hunt because of her disciplinary record and because they doubted her ability to make split-second decisions.

¶ A Federal judge on June 9 overturned as discriminatory a Massachusetts law requiring state troopers to retire by age 55. The ruling settled a lawsuit brought by more than 100 former Metropolitan, Registry and Capitol police officers who were merged into the State Police in July 1992. At that time, the agency raised its retirement age by five years to 55, but that still fell 10 years short of the retirement age in effect at the officers' former agencies.

"The defendants' purpose for establishing a mandatory retirement age for MSP officers is a public safety concern of ensuring the physical preparedness and fitness of its officers," said Judge A. David Mazzone. "The defendants, however, may not arbitrarily set up 55 years of age as the point at which MSP officers are no longer physically fit to serve on the force."

¶ Illegal practices like administering written examinations that do not predict an applicant's likelihood of job success got the city of Garland, Tex., in trouble last year, when the Justice Department filed a lawsuit charging that the exams for police and fire jobs "disproportionately exclude African-American and Hispanic applicants from consideration for employment." Both agencies allegedly tolerated workplaces in which racial slurs were routinely used by employees to discourage minorities from applying for positions.

¶ Under policy changes announced June 18, the New York City Police Department agreed to overhaul its system for investigating allegations of sexual harassment and discrimination. The changes were made under pressure

from the U.S. Attorney's Office following allegations in a former police officer's lawsuit, in which she claimed that supervisors ignored her complaints that male colleagues flaunted pornographic materials films in the station house. The NYPD also agreed to increase the staffing of its Office of Equal Opportunity and begin mandatory programs to make sure all personnel are aware of the procedures for preventing and reporting sexual harassment.

¶ The Tulsa, Okla., City Council on Feb. 20 agreed to do away with score-handing on promotional examinations because the procedure did not provide an adequate pool of candidates for supervisory positions. The city's Black Officers' Coalition, however, opposed the change, claiming it would blunt an affirmative-action clause that called for minorities to be promoted over white officers in some cases.

¶ Women who cannot run 1.5 miles in 12 minutes or less are out of luck if they want to join the South Eastern Pennsylvania Transit Authority police. A Federal judge in Philadelphia ruled in favor of the agency in June, finding that the rigorous physical-fitness en-

trance exam was job-related. The challenge had been brought by a group of female applicants who were denied jobs because they could not pass the unisex fitness requirement.

¶ A study by the National Center for Women and Policing last year found that females hold only 7.4 percent of top command positions, 8.8 percent of supervisory positions and 12.5 percent of front-line positions. The growth of women in law enforcement, said the study, "remains stuck at an alarmingly slow rate." As a group, state law enforcement agencies had the worst showing, with only 5.2 percent of such agencies' sworn positions held by women. All of the 10 lowest-ranked agencies were state police or highway patrols.

¶ Insp. Evelyn Heath of the Philadelphia Police Department settled her sexual-harassment suit with the city in February for \$150,000. The city agreed to expunge from Heath's record a suspension she claims was imposed as retribution for filing the lawsuit. Heath's suit alleges that a supervisor sexually harassed her in 1993 and that she was disciplined and transferred when she complained about the behavior.



# Researchers ask some tough new questions

Anecdotal evidence does not an effective anti-crime strategy prove, and many of law enforcement's most vaunted programs, including gun buybacks, military-style boot camps and even the DARE program, were shown last year by researchers to be little more than feel-good measures.

A research team led by Lawrence W. Sherman, chairman of the Department of Criminology and Criminal Justice at the University of Maryland, reviewed 500 scientific evaluations of crime-prevention programs. Using the Maryland Scale of Scientific Methods, they ranked each evaluation on a scale from 1 to 5, from weakest to strongest prevention effects. Any program ranked 3 or higher was considered effective by the team.

So which programs made the cut? According to the 565-page report: family therapy and training for parents of delinquent and at-risk preadolescents; vocational training for older male ex-offenders; nuisance abatement actions taken against landlords of rental units plagued by drug dealers; incarceration and monitoring of high-risk repeat offenders by special police units, and on-scene arrests for employed domestic-violence offenders.

Programs said to show promise included community policing, with meetings to set priorities; greater respect by police to those they arrest; police field interrogation of suspicious persons; mailing arrest warrants to domestic violence offenders who leave the scene before police arrive; higher numbers of police officers in cities, and programs that use environmental design as a crime-prevention measure.

The report, said Sherman, should act as a filter for Congress in determining which programs should continue to receive Federal funding. It can also serve as a guide to law enforcement agencies seeking effective crime-prevention strategies.

Among those strategies that do not measurably affect crime rates, Sherman found, was community mobilization against crime in high-crime poverty areas. Home visits by police to counsel couples after domestic violence incidents did not work, either. Others that did not do the job included arrests of juveniles for minor offenses; arrests of unemployed suspects in domestic violence assault cases; increased arrests or raids on drug markets locations, and summer jobs for at-risk youths.

"If police did more work on hot spots, hot times and hot offenders," he said, "it would bring down crime in the nation even further. My sense is that the majority of police time is not being focused that way. We still have a long way to go."

One of the most hotly contested findings, however, was that the DARE program had little impact on preventing students from using drugs [see related story, Page 5]. That failing notwithstanding, Sherman conceded that the program does have a positive ancillary effect in that it fosters better relationships between police and young people.

Furthermore, it is not inconceivable that a program the study has labeled ineffective can be moved from that side of the ledger if a preponderance of studies show it does work. The findings are not carved in stone, said Sherman; science is always evolving. Still, he said, the report offers the best evidence of

what crime-prevention strategies work today.

Are overtime expenditures justified in terms of the work being done? Do the police and local government have the capacity to pay for overtime? Is overtime being abused? These are questions that local departments need to answer if they want to effectively manage overtime spending, according to a National Institute of Justice study released in August that examined the use of Federal funds provided to local agencies for this purpose.

In order to control overtime successfully, a combination of analysis, record-keeping, management and supervision must be implemented, the study found. None of these mechanisms can be put in place, however, without proper management — a goal, said the report, that is often thwarted by new computer-based information systems that pour out too much unused data.

Management of overtime comes in two forms, said the report: creating an infrastructure for recording and analyzing the use of overtime, and making policies about overtime based on an understanding of what is happening. "The first sort of management precedes all other activities. The second sort can

only take place if the first sort has been done well."

While overtime is paid for primarily through local sources, the Federal Government can provide up to 10 percent of funding — less than six percent of departments' total budgets. Police departments, the study found, vary enormously in the attention paid to overtime management and their ability to produce information about it.

Following is a sampling of criminal justice-related studies done by government-based and private researchers in 1998.

¶ Stress, rotating shifts and poor diets were the primary reasons why Iowa State Patrol officers and other officers with the state Department of Public Safety had higher rates of heart attacks, strokes, hypertension and other forms of cardiovascular disease, according to a study led by an exercise physiologist at Iowa State University. Examining a group of retired state troopers and comparing them to 817 Iowa males of the same age group, the researchers found that officers had a 31.5-percent rate of heart disease and attendant risk factors, compared with 18.4 percent for the general population.

¶ Domestic violence against women

in the United States is more prevalent and more severe than has been previously believed, and more commonly involves female partners than males, according to "Prevalence, Incidence, and Consequences of Violence Against Women: Findings From the National Violence Against Women Survey," an NIJ study released in November [see related story, Page 16].

¶ Youths can resist overtures to join gangs without suffering serious reprisals from gang members. In fact, the incidence of violence against those who rejected gang membership was less severe than the initiation rites that prospective members endured, according to "Comparing the Criminal Behavior of Youth Gangs and At-Risk Youths," an NIJ study released in October.

¶ According to "Highlights of the 1996 National Youth Gang Survey," an Office of Juvenile Justice and Delinquency Prevention Fact Sheet, nearly three-fourths of a sample of 1,216 cities with populations over 25,000 reported having youth gangs, as did 57 percent of 664 suburban counties and 34 percent of small cities. In addition, the demographics of gang members were found to be changing. Nearly one-third of gang members in small cities and rural counties were white, although

blacks and Hispanics still make up the majority of gang members in the U.S.

¶ Expediting domestic violence cases, using specialized units and centralized dockets, quickly gathering broad-based offender information, seeking appropriate interventions for clients and being alert to the risks children face in abusive households were among the recommendations made in February by an Office of Justice Programs study, "Batterer Intervention Program Approaches and Criminal Justice Strategies."

¶ Two-thirds of the 150 criminal justice officials who responded to an NIJ survey believed that recent immigrants report crime less frequently than other victims, preventing adequate use of law enforcement resources in those communities. The report, released in May, said domestic violence was the crime least reported. Gang violence was also likely to go unreported.

¶ Focusing on Baltimore city and Miami Dade County, an NIJ study released in August found that, given their observational advantage, helicopters can help police conduct pursuits more successfully, aid in calls involving an officer in trouble and track the location and direction taken by suspects once they have stopped or exited a vehicle.

## 1998 — the year in review:

# Use, misuse & non-use of force

Amid the continuing fallout from 1997's Abner Louima beating scandal in New York and a flurry of eight-figure civil judgments paid out around the nation to victims of police brutality, the release in May of relatively upbeat findings in the first Federally mandated study on the use of force was nothing short of a ray of light — despite objections raised by some experts in field.

The report by the International Association of Chiefs of Police filled in some inevitable gaps left by another extensive study — and also hailed as a first — done by the Bureau of Justice Statistics in 1997, which looked at routine interactions between police and citizens, including instances where force was used.

Working from data submitted voluntarily and anonymously to the National Use of Force Database Project, the IACP report examined 53 police agencies in seven states — Arkansas, New Jersey, New York, Vermont, Virginia, West Virginia and Washington, and the U.S. Border Patrol — during 1996 and 1997. Among its findings:

¶ Force is used infrequently, only roughly four times out of every 10,000 calls for service.

¶ On a "street continuum" of force used by both officers and suspects, the lowest level, physical force, was the most frequently used. It was followed by chemical force and then impact.

¶ Force-related reports are rare when viewed "as a function of total police use of force in a given year." For example, of the 2,436 reported use-of-force incidents that led to the project in 1996, only nine resulted in complaints. One year later, just 11 complaints were reported out of 1,536 force incidents.

¶ A seemingly contradictory finding that should elicit more research is that while those officers with 12 years

of education or less were the most likely to use any type of force, officers with college degrees were involved in more uses of physical force than those with lesser educations.

¶ Fifty-two percent of the total use-of-force incidents were interracial; 35 percent of the total were intraracial, and 13 percent had incomplete data on the race of officer or suspect.

¶ Regardless of gender, officers between the ages of 21 and 25 were the most likely to use force of all types, except gunfire. That seems to peak between the ages of 26 and 30, then fall off, said the report.

The data are comparable, in some cases, to findings in BJS's earlier report. For instance, of the 6,421 people ages 12 and older who responded to the BJS survey — representing about 215 million residents nationwide — just 14 said police had actually used force or warned them it would be used. Of those, 10 said they had threatened police or refused to be handcuffed, perhaps provoking a force response from officers. Only four said they had done nothing to provoke a response.

Yet those 14 who were treated with force represent 500,000 people. Of that group, 400,000 reported being put in handcuffs. Half of them, according to the data, were black or Hispanic.

James J. Fyfe, a professor of criminal justice at Temple University and an expert on police use-of-force issues, found the IACP study flawed. Fyfe, a former New York City police lieutenant, said that the group failed to select a random sample of the 21,000 police agencies in the country, relying instead on five police agencies from seven states and one Federal agency.

"We do not know whether these agencies are urban, rural, suburban or state level; who lives in them; or how

much crime or violence characterizes them," he said. "Thus, there is no way that anybody could regard this study as the creation of 'an omnibus information system and data base to answer all questions about the use of force for the nation as a whole,' as is asserted."

The finding that police use no force of any kind in responding to calls 99.96 percent of the time, as the IACP reported, seems to have had little effect on mainstream media, however. Following the editorial philosophy of "if it bleeds, it leads," numerous cases of alleged police brutality found their way into the press.

To be sure, what befell some individuals at the hands of local law enforcement last year was inarguably egregious. In California, New York, New Jersey and Pennsylvania, for example, suspects were severely beaten in police garages, or while trying to surrender peacefully, and in some cases by off-duty officers. One man died mysteriously after being bound in a police car. And frequently, cities and counties paid dearly in 1998 for brutality that was inflicted years earlier.

¶ In California, an appeal by Los Angeles County of a civil rights judgment was denied by the state Supreme Court on July 29. Some \$24 million was awarded to a family of San Joaquin Americans whose bridal party was broken up in 1989 by county deputies found to have used excessive force. The payout was believed to be the largest in the state's law enforcement history.

¶ A jury in May awarded Miami-Dade Det. Michael Perez \$5.7 million, agreeing with his claim that, while working undercover, he was intentionally run down by a racist officer. The accident shattered Perez's ankle and hemiated two discs in his back.

¶ A Los Angeles County jury

awarded William Mitchell Bell \$378,000 in February after agreeing that his civil rights were violated nearly five years ago when he was "rousted" by two uniformed deputies after driving his late-model Cadillac home from a friend's house. In exchange for Bell not seeking punitive damages, the Sheriff's Department agreed not to challenge the verdict.

¶ The family of Terrence Hicks was awarded \$1.6 million in June by a District of Columbia jury. Hicks was shot in the back 11 times by police during a 1994 incident in which he held his mother hostage at knifepoint.

¶ In one of the largest police-brutality judgments ever rendered against New York City, Darryl Barnes was awarded \$76.4 million by a Bronx jury in April. Barnes was paralyzed from the waist down when he was shot point-blank in the back by an off-duty officer in 1988. Barnes claimed he had picked up a gun left on the street by a teenager and that he dropped it when ordered to by Officer Franz Jerome.

Some agencies, such as the Metropolitan Police Department in Washington, D.C., responded in 1998 to excessive-force issues by implementing sweeping policy changes. Under new Police Chief Charles H. Ramsey, the MPD issued a general order in November that established a progressive "use of force continuum" to be used by officers in response to dangerous or resistant individuals.

The policy defines a four-part continuum that begins with verbal persuasion, then moves on to hand control procedures, protective weapons and, lastly, deadly force. During the 1990s, the deaths and injuries on both side of the law mounted in the District, making the city among the most dangerous for police officers in the nation.



# The people, the places, the names & the faces

## Out of the frying pan. . .

Prompted by the murder of 6-year-old JonBenet Ramsey and the unrelenting criticism that the Boulder, Colo., Police Department has taken for its handling of the unsolved case, major changes are afoot in the department under the command of **Mark Beckner**, the 42-year-old head of the agency's investigative division who succeeded **Thomas Koby** as police chief in June. "There have been several recent incidents in which we've been stretched so thin," said Beckner. "We haven't had much choice but to assign inexperienced detectives. That's why we want to integrate the resources we have," he said. "We'll have at least two people in major crimes who can lead that investigation and oversee it."

Since his swearing-in on June 29, Beckner has set about reorganizing a department which he said had become so flattened that 14 people reported directly to the Chief. That number has since been cut to six, and Beckner has split the agency into two divisions, headed by deputy chiefs. **Dave Hayes** took on support and staff services, and **Jim Hughes** was assigned to lead the operations division. Both are 20-year veterans.

Beckner said he subscribes to the problem-solving school of policing — getting the community involved in solving crime and disorder. It's imperative to have residents' input, he said, so that issues can be resolved on a long-term basis, instead of the department having to continually respond to calls for service "without making any real impact."

He also heeled up the agency's investigative unit, adding a major crimes unit staffed by six detectives and a supervisor. The new squad will also get an infusion of training, Beckner said.

"The idea there is that we need a core group of detectives who are going to be there on a long-term basis to have the experience to deal with homicides and other major crimes."

The need for change has been there for some time, said Beckner. As public dissatisfaction with Koby's performance in the Ramsey case mounted, the Chief announced his intention to step down when his contract expired. But city officials, trying to avoid a protracted search for his replacement, asked Koby to serve out his contract as a special assistant to City Manager **Dave Rhodes**.

Beckner said he is reviewing the department with a fine-tooth comb, making improvements wherever they seem necessary. He is encouraged, he said, by the agency's ability to bounce back. "I have quality people, and I've inherited excellent managers."

## Into the fire

There will be no quick fixes at Washington, D.C.'s Metropolitan Police Department, warns newly appointed Police Chief **Charles H. Ramsey**.

"To look at each individual fire that's going on in the department and try to determine if you've got enough water to put out this one, and then this one, and then this one... you don't want to spend the rest of your life moving from fire to fire," he said.

To be sure, there have been plenty of fires to put out at the MPD. The problems that have plagued the department over the past decade include drug-related corruption scandals and fiscal problems that have left the agency understaffed and poorly equipped.

In November 1997, Chief **Larry Soulesky** abruptly resigned before his friend, ex-Lieut. **Jeffrey Stowe**, was arrested on charges of embezzling thousands of dollars from the agency and devising a scheme to blackmail married men who patronize gay bars. Soulesky denied any wrongdoing and was not charged with any crime.

Ramsey, who took the helm in April, came to the MPD from Chicago, where he was deputy police superintendent and widely acknowledged as the guiding force behind the city's widely



Ramsey  
DC power

touted community policing effort, Chicago Alternative Police Services (CAPS). He was considered a front-runner for the position of police superintendent there, but lost out to Chief of Detectives **Terry Hilliard** (see following item.)

Ramsey called the MPD "pretty dysfunctional" — not so much its members as its internal systems. It translates, he said, into how police service is provided on the streets. "So if you don't fix that, you can't fix anything."

For his second-in-command, Ramsey created the position of executive assistant chief, and to fill the spot he reached out to Illinois and brought in State Police Director **Terrance Gainer**, a colleague since the two were Chicago police officers together in the 1970s.

Gainer, who began his police career in 1968 with the Chicago Police Department, was named deputy director of the 2,050-trooper State Police in 1987. Of the MPD, Gainer said, "It's a department with phenomenal potential."

## Surprise, surprise

Bypassing the two leading contenders for the post of Chicago Police Superintendent, Mayor **Richard Daley** said he based his selection of Chief of Detectives **Terry Hilliard** in February on the "gut feeling" that he would be the best possible person for the job.

Daley's decision surprised not only observers but his candidate as well, with Hilliard saying he was "totally flabbergasted" by his nomination. He vowed never to forget where he started from, "patrolling the streets of the city," and said he would continue his frequent roll-call visits to local precincts.

Hilliard has had a stellar policing career, beginning in 1968 when he returned from military service in Vietnam. He forwent joining the Illinois State Police and applied to the CPD when his mother complained he had been away too long. He holds the department's highest award for valor, earned in a South Side gun battle with suspects, in which he was wounded twice.

Daley chose Hilliard over two other candidates, **Raymond Risley**, chief of the Organized Crime Division, and Deputy Supt. **Charles Ramsey**, who has headed the department's highly successful community policing program and was the odds-on favorite.

Hilliard replaced **Matt Rodriguez**, who had resigned following the disclosure of his decades-long friendship with a convicted felon, in violation of department rules.

The Mayor said of his new top cop: "He has a vision for the Police Department and he understands the issues. He will be a take-charge Superintendent."

Hilliard made it clear that he had high expectations for officers. "If they want to be straddling the fence and not walking the walk and talking the talk, then they don't need to be here," he said. "That's the bottom line."

## Making it happen

Albuquerque, N.M., Mayor **Jim Baca** was looking for a police chief who could jump-start a community-oriented policing program and smooth community relations that had become badly strained by allegations of police brutality. He found what he was looking for in Toledo, Ohio, in the person of Chief **Gerald Galvin**.

The 55-year-old Galvin replaced **Joseph Polisar** on June 1 after Baca, who was elected the previous fall, chose not to retain Polisar from the previous mayor's administration.

Polisar is now police chief in Garden Grove, Calif. "We talk about [wanting] community policing in Albuquerque; this is the guy that can make it happen," Baca told *The Toledo Blade*. There has been some effort to change the "mechanical" aspects of the department, but the Mayor conceded that not much had been done to change the agency's "culture."

Galvin, who came to Toledo from Vallejo, Calif., in 1994, said it would be hard to leave the city on the westernmost shores of Lake Erie. During his tenure there, he assigned 24 officers to work in public schools as a safety measure — one of his better ideas, said **D. Michael Collins**, president of the Toledo Police Patrolman's Association. Galvin also added more police officers with Federal grant funds from the Justice Department's Office of

Community Oriented Policing Services.

Galvin also launched a decentralization plan in Toledo that included the opening of a handful of new substations and the reopening of one old district facility. He installed state-of-the-art computer systems in the department and got officers new firearms and new patrol cars.

Despite the positive changes, however, Galvin's decentralization effort came under fire in some quarters for allegedly hampering investigations. A plan to deploy one-officer patrol cars was also opposed by the TPPA, and that issue is still under litigation.

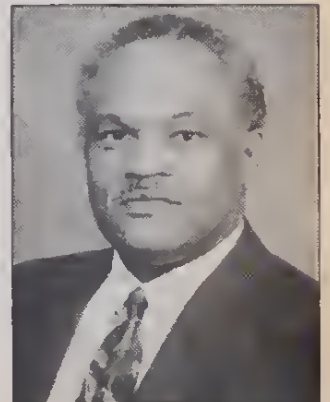
Speaking of Toledo, Galvin said, "The job there has been the most difficult job, the most challenging job, and the most frustrating job. But it's also the best job I've ever had."

## Accredit to the profession

After 11 years as police chief of Greensboro, N.C., **Sylvester Daughtry Jr.** retired in January, allowing him to focus his professional energy full time on nothing less than improving policing nationwide, through the Commission for the Accreditation of Law Enforcement Agencies, of which he is now the executive director.

Daughtry, a two-term chairman of CALEA's board, took the helm from **Richard Kitterman**, who retired. During a 30-year law enforcement career, Daughtry was actively involved in a number of professional organizations, including the Police Executive Research Forum and the International Association of Chiefs of Police, which he served as president from 1993 to 1994.

Said Daughtry of CALEA, "It is still the greatest form of accountability that a law enforcement agency can have to its community." The Greensboro Police Department, in fact, is due for its third accreditation in 1999. The agency was twice accredited under Daughtry's administration as chief.



Daughtry  
Hand on the tiller

## Popular choice

**Lee Donohue**, the new chief of the 1,800-officer Honolulu Police Department, came to the job last year with support from both the rank-and-file and supervisors that would be the envy of any police executive in the nation.

"We like him, not only because he's one of us, but because he's a leader who can make decisions and get people to follow him," said Maj. **Boisse Correa**, commander of the department's East Honolulu district.

A 34-year veteran, Donohue was officially named chief on April 13, although he has been leading the department as interim chief since the retirement of Police Chief **Michael Nakamura** in late 1997. During that period, Donohue was given kudos by both officers and citizens for his expert handling of two fatal police-involved shootings and a budget shortfall that forced the suspension of overtime for officers.

Even the HPD's union, the State of Hawaii Organization of Police Officers, was enthusiastic over Donohue's appointment. Said Honolulu police Lieut. **Bennie Atkinson**, the group's president: "We believe he will be one of the best and fairest chiefs this department has ever had."

The 55-year-old Donohue said that for his part, he sees a department that is well-respected, efficient and high-performance, one that will continue to foster an atmosphere of cooperation with residents and build partnerships within the community. He also announced plans for the implementation of "HPD 2003," a five-year policy statement that calls for a steering committee to "identify priorities to address the financial crisis we are now faced with and a detailed functional plan on future community policing efforts."



## Time has come

In the end, time apparently did what no mayor, lawsuit, suspension or internal criticism could do — get Hamden, Conn., Police Chief **John P. Ambrogio** to step down after 34 years at the top.

Ambrogio, 64, announced his retirement on Aug. 9. A 40-year veteran of the department, he had been on temporary total disability for the past year and was due to retire at the end of that month.

The long tenure of Ambrogio, who was a strong supporter of gun-control laws and frequently locked horns with gun-owners' rights organizations, was also marked by other clashes — specifically, with his bosses. Mayor **John L. Carusone** had the Chief suspended from 1989 to 1991 as he sought to remove him from office. Ambrogio won that battle of the wills, however, when a Superior Court judge ruled that despite six reprimands and seven disciplinary letters, the Mayor had never given the Chief adequate warning that his actions could cost him his job.

About Ambrogio's retirement, Carusone said it was the "best decision Ambrogio made since he became police chief.

## Another first

**Ernest Tate** was not on the Edmund Pettus Bridge the day civil-rights marchers were beaten back by Selma, Ala., police officers and sheriff's deputies in 1965, but he's crossed many bridges spanning a much greater distance since that time.

Last year, the 59-year-old Tate — one of the city's first black police officers — was selected by Mayor **Joe Smitherman** to lead the 74-officer police agency, becoming Selma's first African-American chief of police. Tate replaced **Randy Lewellen**, who was dismissed amid an investigation into alleged misappropriation of funds. Tate was the assistant chief at the time of his swearing-in on Nov. 24.

Tate began his career in 1968 when the police chief at that time asked him to join the force, becoming its fourth black officer. In his early days with the department, Tate told *LEN*, there were suspicions among the white officers that blacks were going to abuse their authority. But after six or eight months of working together, he said, they knew that the black officers were going to be fair. "That's what gets people's attention — being right in what you're doing."

Tate downplays the significance of his appointment, preferring to focus on his plans for the force, which is now 55 percent black. Tate said he will urge city officials to increase the agency's budget so more officers can be hired and the department's equipment given an upgrade. Already, he has convinced city leaders to provide funding so that the agency's fleet can be outfitted with video camcorders. Tate is also expecting an additional five officers.

"When I was assistant chief, I did a lot for the department," he said. "There ain't too much more I can give 'em, so I'm expecting something from them now."

## Straight to the top

Months of uncertainty were ended in August when Denver Mayor **Wellington Webb** chose Deputy Chief **Tom Sanchez** to replace departing Police Chief **David Michaud**, a 31-year veteran who spent six years at the city's top cop.

The 49-year-old Sanchez joined the force in 1969 as a cadet and rose through the ranks to serve as commander of the gang unit and chief of the traffic and patrol divisions. In 1995, he was appointed deputy chief and became Michaud's right-hand man.

In choosing the new chief, Webb stressed the importance of maintaining "consistency with the administration." The announcement of Sanchez's appointment came just hours after Webb had conducted a final interview with him to be sure he had the right "chemistry" and was committed to community policing.

Said Sanchez, "It's a balance. A lot of people think of community-oriented policing as soft on crime — touchy-feely. That's not the case." While the new chief said he wants officers to interact with the public, not just sit behind desks at headquarters, there still needs to be people "who can solve homicides and catch drug dealers."

Sanchez likened the department to an aircraft carrier — turning must be done in degrees. "You don't make a U-turn."

## Homeward bound

After a six-year hiatus from the Phoenix, Ariz., Police Department, where he once served as the second-highest ranking official, Oxnard, Calif., Police Chief **Harold Hurtt** came home last year as chief of the agency that gave him his professional start.

"I'm really excited about the challenge that lies ahead," he said, "and also, going back to an organization where I'm very familiar with the staff and culture...It should not be that difficult a transition to make."

In succeeding **Dennis Garrett** on May 11, Hurtt became the Phoenix Police Department's first black chief executive. He

# Final salute

## Law enforcement community bids goodbye to four

### Pomeroy the peacemaker

Much like the fictional **Forrest Gump**, **Wesley A. Pomeroy** was one of those rare individuals who seem to turn up as a central character in many of the seminal events of our times.

Over a career spanning more than 50 years, Pomeroy, who died of heart failure on May 4 at age 78, held assignments that included security chief at the Woodstock music festival in 1969, mediator between Chicago police and anti-war protesters at the 1968 Democratic National Convention and Police Chief of Berkeley, Calif., the one-time hotbed of progressive politics and innovative policing.

"He was an extremely progressive person — always had been — and he always saw the good side," recalled **James Stinchcomb**, former director of the Dade Regional Training Center. "A good way to remember him is as a peacemaker."

Renowned for his mediation and crisis-management skills, Pomeroy retired in 1996 as the executive director of the Miami Dade Independent Review Panel in Florida, a body that investigates citizens' complaints against city and county agencies. Prior to that, he served as executive secretary of the Detroit Board of Police Commissioners.

It was in 1964 that Pomeroy, then a San Mateo County, Calif., undersheriff, caught the eye of U.S. Attorney General **Ramsey Clark**, who assigned him to oversee security at the Republican National Convention in San Francisco. Clark appointed him as a special assistant to coordinate Federal anti-crime efforts.

While at the Justice Department, Pomeroy was chosen to intercede between Chicago Mayor **Richard Daley's** police officers and protesters at the 1968 Democratic convention. Daley ignored Pomeroy's suggestions for keeping the peace, and a bloody clash between the groups ensued — which a Federal commission would later term a "police riot."

After briefly serving as one of three officials chosen to run the nascent Law Enforcement Assistance Administration, Pomeroy went into private consulting work. The Woodstock festival, which overnight turned the sleepy backwater town of Bethel, N.Y., into a burgeoning encampment of a half-million concertgoers, was his biggest coordination effort.

During the 1970s and into the 1980s, Pomeroy served as Police Chief of Berkeley, Calif., and again went to Washington, D.C., first as a special assistant in the Drug Enforcement Administration and then as associate director of the White House Office of Drug Abuse Policy. In later years, Pomeroy became an advocate for the decriminalization of marijuana.

Said Stinchcomb, "He was somebody who didn't just care about things, but did his best to make them better... He was an activist in a field that doesn't reward change agents."

### Brooks: A policing original

As far back as the 1950s — before the term serial killer was even used — legendary Los Angeles homicide investigator **Pierce R. Brooks** had the imagination to develop a rudimentary form of what is now known as the Violent Criminal Apprehension Program (VI-CAP), a computerized system that helps catch violent criminals by scanning a data base for possible similarities among crimes.

The 75-year-old Brooks, who died in Springfield, Ore., on Feb. 28 of complications from Alzheimer's disease, said he began thinking about the concept while working on a particularly baffling murder.

"I was working on a case where I had a gut feeling that the killer was someone who was probably passing through Los Angeles or had done this before," said Brooks, who was the first Law Enforcement News Man of the Year in 1984. "My problem was, where had the killer come from and where was he now?"

Searching for clues in a downtown Los Angeles library, Brooks read newspaper accounts of murders from across the country, seeking a connection or a killer who fit the description he had come up with. "After 14 months, I saw a newspaper clipping of a killer who fit the M.O. I was looking for, and I cleared the case. At the time, of course, I had not come up with the idea of VI-CAP and I had not thought of serial murderers as a term to use, but that was primitive VI-CAP."

The program, which was completed in the mid-1980s, is housed at the FBI's National Center for the Analysis of Violent Crime in Quantico, Va. Designed to snare serial killers, it was soon expanded to include sex offenders and arsonists.

"VI-CAP is Brooks's legacy — one which continues to positively impact police operations around the world," said **Arthur Meister**, the VI-CAP unit chief.

During a 23-year career with the Los Angeles Police Department, Brooks earned a reputation as a dogged and

innovative investigator. He was the detective in charge of the 1963 "Onion Field" case involving the murder of a Los Angeles police officer.

Brooks retired from the LAPD in 1971 and went on to serve as police chief in Lakewood, Colo., for four years. As an investigative consultant, he played a key role in the serial killings of young children in Atlanta during the early 1980s, as well as other cases.

"He was an original," said **Charles Reese**, a former LAPD deputy chief. "There'll not be another like him."

### A criminology pioneer

Criminology has lost one of its pioneers who literally "shaped the boundaries" of the field, University of Pennsylvania professor **Marvin Wolfgang**, who died on April 12 after a long battle with pancreatic cancer.

As director of Penn's Sellin Center for Studies in Criminology and Criminal Law, the 73-year-old Wolfgang spent nearly 50 years teaching criminal justice theory to undergraduates in introductory courses that despite his illness he continued to teach until a few months before his death. He also conducted seminars on criminal justice at the University of Pennsylvania Law School, where he held a joint appointment.

Wolfgang, who was one of the first academicians to point to social factors as the root cause of criminal behavior, propelled his criminology program from a division at Penn's Sociology Department to an integral part of the Wharton School's Legal Studies Department. He was a "serious scholar with a wide breadth of interests," said **Bill Laufer**, a legal studies professor at Penn. Wolfgang, he added, defined criminology not only as a quantitative discipline, but as a theoretical one, as well.

A fervent opponent of the death penalty, Wolfgang's findings were used in the Supreme Court case *Furman v. Georgia*, which led to the abolition of capital punishment in 1972. It was reinstated five years later.

He was the first recipient of the award that bears his name, the Wolfgang Award for Distinguished Achievement in Criminology. It is believed by some in the field to be the Nobel Prize of criminology.

### Sheriff's last ride

The law enforcement community said goodbye on Oct. 29 to one of its best known officials, Los Angeles County Sheriff **Sherman Block**, who died of a brain hemorrhage after years of failing health. Block, 74, succumbed less than two weeks before Election Day in what was to be the culmination of his fifth run for a position he had held for 17 years. His name remained on the ballot, however, and he received 39 percent of the vote to challenger **Lee Baca's** 61 percent.

Supporters had said that Block wanted the campaign to move forward despite his ill health. It was a decision based on political as well as personal motives. Had Block won reelection despite his death, the appointment of a new sheriff would have fallen to the county's Board of Supervisors, who would likely have chosen someone in the current command structure to succeed Block, rather than Baca.

Block had close ties to members of the Board of Supervisors, but a steady stream of scandals and bad press in recent years had caused those ties to fray. In 1998, the county paid out nearly \$23 million — believed to be the largest civil judgment in local law enforcement history — to a group of Samoan-Americans who claimed sheriff's deputies had used excessive force to break up a bridal party in Cerritos in 1989.

Other public embarrassments included several controversial shootings of suspects that led to a broad inquiry and a series of proposals for reform. Block reluctantly accepted the imposition of an independent monitor to oversee their implementation.

These and other problems in a department Block had done much to improve ultimately left him vulnerable to a challenger, even though he had been virtually unbeatable since his first election in 1982. The protégé of Sheriff **Peter Pitchess**, Block had been promoted swiftly through the ranks. When Pitchess retired, he recommended Block as his successor.

But in the end, even Block's staunchest backers had to admit that his chances of reelection this year were not good. The Sheriff had battled cancer and a serious kidney condition, and his poor health made voters uneasy. A poll taken by the Baca campaign showed significant numbers of voters uncomfortable with the idea of voting for a gravely ill candidate.

After the election, Baca urged both sides to put aside their differences and mourn for Block. "Sherman Block," he said, "was a giant in the law enforcement family. His dedication and commitment to his profession were unparalleled."



# People, places, names & faces

joined the force in 1968 and rose steadily to become executive assistant chief before leaving to take the reins of the Oxnard department, a 200-officer agency in a city of about 100,000.

During his tenure in Oxnard, Hurtt was able to reduce crime by 25 percent, primarily through community policing programs and better enforcement. He called the department one of the "hardest-working mid-size agencies in the country, with a lot of talented people."

His first priority in Phoenix, Hurtt said, will be to try and heal relations between the department and the city's minority community, which were strained by a series of deadly-force incidents. In March, a jury awarded \$45 million to the parents of a double-amputee who died in 1994 after police used a banned neck hold on him.

"Officers need reassurance, too, that the actions they took were within policy," said Hurtt. "My greatest challenge is going to be balancing the interests."

## Top of the heap

The Police Executive Research Forum replaced one law enforcement luminary with another last year when Baltimore Police Commissioner **Thomas C. Frazier** succeeded **Gil Kerlikowske**, Buffalo, N.Y.'s former commissioner, as the organization's president.

An at-large member of PERF's board of directors, Frazier was instrumental in getting the Baltimore Police Department involved in the group's Reducing Repeat Victimization of Residential Burglary study and in testing the viability of using 311 as an alternative to non-emergency calls for service. [See article, Page 1.] He defeated Charlotte, N.C., Police Chief **Dennis Nowicki** for the top spot in a special election held in August.

Frazier cut his professional teeth in San Jose, Calif., where he began as a beat officer and rose to become Deputy Chief of the Bureau of Field Operations.

Kerlikowske, a veteran police executive who led two other police agencies to national acclaim, resigned his post at PERF

after stepping down from the Buffalo PD. He took a post as deputy director for support services at the Justice Department's Office of Community Policing Services. His new position, he said, precluded him from remaining an active member of the police chiefs' group.

"It was time for a change," the 48-year-old Kerlikowske told LEN. "We had accomplished a lot in Buffalo, and I thought that working with the COPS office to expand community policing nationally was a great opportunity."

## Bombs away

He lost his job last year, but gained \$1.6 million and at least partial vindication for charges he made about sloppiness at the FBI's vaunted crime lab. Whistle-blowing forensic scientist **Frederic Whitehurst**, who gained a reputation as the bureau's leading bomb residue expert during 10 years as a lab supervisor, came back for just one day on Feb. 13 after a paid 13-month suspension to take care of business.

That business was a payout Whitehurst agreed to that would equal the 50-year-old Whitehurst's annual salary and pension had he stayed and reached the bureau's mandatory retirement age of 57. The FBI also agreed to pay Whitehurst's legal fees, totaling almost \$260,000, and shelve any plans for disciplinary action against him.

Allegations he made about sloppy lab work, inaccurate test results and slanted testimony aimed at supporting the prosecution in major cases led to an investigation by the Justice Department's Office of the Inspector General. Whitehurst was suspended in 1996 while investigators pored over his findings. Some of his claims were eventually substantiated by the I-G's inquiry.

## Room at the top

**John F. Timoney** may be an outsider to the Philadelphia Police Department, but he's an insider when it comes to utilizing

the Compstat anti-crime strategy, one of the reasons he was tapped by Mayor **Ed Rendell** last year to be the City of Brotherly Love's new Police Commissioner.

As No. 2 man at the New York City Police Department under former Commissioner **William Bratton**, Timoney was in on the ground floor when Compstat was introduced in 1994. Now used by police agencies nationwide, the strategy employs high-tech mapping of areas to identify crime hot spots, as well as frequent meetings between commanders and top brass to better deploy officers. The strategy has been widely credited for contributing to New York City's recent double-digit decreases in reported crimes.

Timoney was unceremoniously cut loose not long after Bratton left the department in 1996. He was told to pack his bags by Mayor **Rudolph Giuliani** after calling the Mayor's hand-picked successor to Bratton, **Howard Safir**, a "lightweight."

Timoney, 49, was named to the Philadelphia post on Feb. 18, much to the surprise of observers who believed Rendell would choose an insider. He replaced 57-year-old **Richard Neal**, who resigned just days earlier to become a security consultant. Neal, who had been harshly criticized for the PPD's perceived inability to fight crime effectively, left with a few choice words for his detractors, saying they "wouldn't know how to deploy a police officer if they tripped over one."

Rendell met Timoney in 1997 while the Irish-born New Yorker was doing some consulting work on a redeployment plan for the PPD. The appointment has heartened some critics of the



**Timoney**  
Philly favorite

# Now you see 'em, now you don't

*It was another year of fond farewells and welcome-aboards as many of the nation's law enforcement executives opted for a change of professional scenery, sometimes thousands of miles away and sometimes just up the road. Following is a sampling of the directions some careers took in 1998:*

¶ **Joseph Polisar**, 46, who lost his post as Albuquerque, N.M., police chief in October 1997 when a new mayor was elected, found a new job in June when he took office as chief in Garden Grove, Calif., ending an eight-month search there.

¶ The Kennebec, Me., Board of Selectmen unanimously chose acting Police Chief **Doug Sharlow** in June to assume the post permanently. Sharlow, a 19-year veteran, replaced **James Lavalley**, who was fired in May on charges of nepotism.

¶ Former East Hartford, Conn., Deputy Chief **J. Edward Brymer** was sworn in as chief of Middletown on Feb. 27. Some 45 East Hartford officers who served under the 56-year-old Brymer attended the ceremony.

¶ Georgetown, Del., Police Chief **Harvey Gregg** suffered a fatal heart attack on April 2 while directing traffic. Gregg, who was 70, had served as chief for 20 years.

¶ The longtime director of the Federal Law Enforcement Training Center in Glynco, Ga., **Charles F. Rinkevich**, decided to cap a 28-year career in 1998. Rinkevich, who had led the center since 1983, also served as law enforcement consultant for the University of Georgia and the International Association of Chiefs of Police.

¶ It was obviously in the cards that Harding County, N.M., Sheriff **Raymond Gutierrez** would beat his opponent in a June 2 Democratic primary. Using a state law that calls for games of chance to break ties in local elections, Gutierrez drew an ace to defeat **Michael Lewis**'s two.

¶ Spence Memorial Hospital in Plymouth, N.H., got a new head of public relations last year in the person of **Ty Gagne**, following his resignation as police chief in Holderness. Gagne had joined the department 12 years ago and became chief in 1993. His father, a former state trooper, also served as Holderness police chief.

¶ Lewiston, Me., Police Chief **Michael F. Kelly** was nominated in February as the state's Public Safety Commissioner after an exhaustive background check. Gov. **Angus King** was taking no chances after being forced to withdraw the name of Bangor Police Chief **Randy Harriman** only weeks

after it had been announced. Harriman had been less than candid about complaints concerning his conduct as an officer.

¶ **Alana Ennis**, 48, was named police chief of Burlington, Vt., on Oct. 1—the first woman to hold that post. Ennis, who was previously chief of the Duke University police department, replaced long-time Burlington Chief **Kevin Scully**, who took early retirement.

¶ Newport News, Va., police Maj. **Alan Chertok** has headed cross-country to eastern Washington to head the Spokane Police Department. Chertok, who served with the Metropolitan Police Department in Washington, D.C. and the Prince George's County, Md. Police Department, replaced **Terry Mangan**. Mangan, who served as chief for 11 years, left to become an instructor at the FBI Academy's leadership and management science unit in Quantico, Va.

¶ **James Cosgrove** was named police chief in Elizabeth, N.J., on Jan. 1 after serving for 30 years with the Newark Police Department. The 52-year-old Cosgrove, a deputy chief in Newark, was able to bring crime down there 13 percent during the first half of 1997 with a targeted quality-of-life approach.

¶ **Mike Navarre** was given a permanent appointment as police chief of Toledo, Ohio, in October after three months as acting chief. Navarre, 47, who began his career with the Toledo police in 1977, is the son of a retired Toledo police captain and the younger brother of an active city officer.

¶ **Whiteville, N.C. Police Chief Randall Aragon** moved just 25 miles up the road to Lumberton to assume command of the town's police department on Sept. 2. Aragon, 52, replaced **Harry Dolan**. Dolan, who called Aragon one of the most "forward-thinking police chiefs in the area," had stepped down in April to become chief of the 375-officer Grand Rapids, Mich., Police Department.

¶ **Hoover, Ala.** got its first permanent police chief in three years when **Bob Berry**, 48, was sworn in on Feb. 16. Berry was chosen from a search that began in January 1997 and produced 93 applicants. He was a former deputy chief in Birmingham.

¶ **Steven Williams** succeeded **Gerald Aponte** in August as police chief in Rolling Meadows, Ill. Williams, 49, had previously held the top job in Macomb, Ill. Aponte left in February to become chief in Manchester, Conn.

¶ After 10 years, Cary, S.C., Police Chief **David Fortson** left his post to become chief in Rock Hill, S.C., on June 1. Cary

officials said they thought of Fortson as a "minor god."

¶ **Waurika, Okla.** Police Chief **Ray Smock** spent just a day-and-a-half on the job before quitting in May. Smock, who gave no reason for his decision, was the town's sixth police chief since May 1996.

¶ Without disclosing their reasons, Morrisville, N.C., officials fired controversial Police Chief **Bruce Newman** on April 30. Newman, who had run for mayor, reportedly angered residents when he said he would stay on as police chief if he won the election.

¶ A former assistant chief, **Kevin Hughes** took the reins of the 10-officer Shenandoah, Iowa, Police Department on March 23. He replaced **Jim Davey**, who took a one-year leave to serve with a United Nations peacekeeping mission in Bosnia.

¶ **John Denko Jr.** was lured out of retirement this year when he accepted the police chief's job in Santa Fe, N.M. Denko, a former head of the New Mexico State Police, prevailed over 19 other candidates, including acting chief **Beverly Lennen**. He took over in May.

¶ Boston Police Supt. **Joseph C. Carter** assumed command on June 1 of the Oak Bluffs, Mass., Police Department on Martha's Vineyard. Carter, 42, who has kept a home on the island for the past decade, will head a department of fewer than a dozen officers.

¶ Hot Springs, Ark., interim Police Chief **Gary Ashcraft** was given the permanent appointment on March 6. A former homicide detective, Ashcraft made revamping the department's street crimes unit a top priority after a year which saw the city's murder rate double. He took over from Chief **Martin M. White**, who stepped down on Jan. 2 after nearly 12 years in office, to take a full-time teaching position at Garland County Community College.

¶ **John Popadowski** was named police chief in Wheeling, Ill., in January, after having held the job on an acting basis for six months. He joined the Wheeling department in 1995 after serving 27 years with the police force in Evanston.

¶ In an 11th-hour settlement of a lawsuit, **Richard Wright** became acting police chief of East Orange, N.J., in October—eight years after he charged the city with discrimination, alleging that he was passed up for the position because he is white. The settlement forced the retirement of Chief **Harry Harman**, who became the city's first black chief in 1990.



PPD, particularly **John F. Street**, the city's most powerful black politician. "The issue is effective policing," Street told *The Philadelphia Inquirer*. "That is what people want. They want to feel safe. They want to be able to sit on the porch at night."

The local Fraternal Order of Police was less enthusiastic, with its members taking a wait-and-see approach, according to the group's president, **Richard Costello**. "I think optimistic is too strong a word" to use to describe the reaction of the rank-and-file, he told *The Inquirer*.

## Challenges wanted

Saying it was time to move on to other challenges, San Jose, Calif., Police Chief **Louis Cobarruviaz** stepped down in March after 32 years with the agency, six of them as its chief.

Cobarruviaz announced his plans at a January press conference in which he listed a number of achievements made by the agency under his leadership, including the growth of diversity in the ranks; forming partnerships with the public and private sectors; institutionalizing community policing; and attacking gang activity through the Mayor's Gang Prevention Task Force.

He said he was especially proud of the role the agency had played in making San Jose one of the nation's safest large cities, in spite of "serious personnel shortages due to the recession." It is a tribute to each member of the department, he added, noting, "We have laid the foundation for the department of the future."

Cobarruviaz was replaced on an acting basis by Assistant Chief **Walt Adkins**. A national search for a permanent successor tapped former SJPD second-in-command **William Lansdowne**, who had gone on to become chief in nearby Richmond.

## The people speak

They don't get cats out of trees, but the four-officer Police Department in Far Hills, N.J., still spends a lot of its time doing the kind of old-fashioned community policing that is possible when a town has had just one armed robbery in 20 years.

One of the state's wealthiest communities, Far Hills spends about one-third of a \$1 million annual budget on police services. But when the Police Department's biggest public safety challenge involves handling a yearly equestrian event, the question inevitably gets raised of whether to do away with the department. Last year, an ad hoc committee was formed to assess the situation after the retirement of Police Chief **Kalman Dudas**, who led the agency for 19 years.

The answer from residents was a resounding "no."

So 51-year **Robert Zimmerman**, a lieutenant and senior member of the force, was tapped to succeed Dudas. With such a low crime rate — just two burglaries, 11 thefts and 20 incidents of vandalism and other criminal mischief in the course of a year — Zimmerman plans to "just patrol the hell out of the town," he told *The Newark Star-Ledger*.

That means passing through several times during each shift, and displaying a strong police presence. Most of the officers know the town's residents, he said. Officers have even delivered groceries in the past to a widow who couldn't get out to go shopping.

## Major addition

While the Durham, N.C., Police Department may have been short on personnel and without a permanent chief for more than a year, it never lost its "spark for police work," said **Theresa C. Chambers**, who was sworn-in on Jan. 20 as head of the 415-officer agency.

The 40-year-old Chambers, previously a police major in Prince George's County, Md., is the first woman to head a department in a major North Carolina city. Chambers has been a certified police trainer for 16 years, specializing in leadership training.

"One of the common themes I've heard from commanders is that we're not doing the best job in training for the next step in one's career here," she said about her new department. "There are great programs out there with regard to upper-level training. We'll be pursuing that over the next few years."

Chambers succeeded **Jackie McNeil**, who had stepped down in 1997. In the interim, the DPD was led by Col. **Kent Fletcher**, whom Chambers credits with keeping morale high among the rank and file. "Despite some of the controversies that had happened in the agency and in the city, these men and women never lost heart," she said of the Durham police.

As one who places a premium on initiative and creativity, Chambers has been pleased with what she has found in the Durham department so far. "What we have to do now," she said, "is get some sense of what our priorities are, get that energy focused together in a section of the city — or one street corner at a time if that's what it takes to push violent crime out."

Chambers hopes to implement a Compstat-style anti-crime strategy. "We've begun mapping where our most violent crimes are happening, and based on that we'll give the district commanders a lot more autonomy and resources to focus on those areas."

Without the information they need at their fingertips.

Chambers said she will not be holding district commanders accountable just yet. "The first part is to get the technology up to the point where they can get the information they need to at least talk about crime problems."

Chambers, who holds a master's degree in applied behavioral sciences from Johns Hopkins University, said she was humbled by the amount of attention her appointment was getting from groups who were eager to have her as a speaker. "I hadn't stopped to think," she said, "how significant it may be to women who are entering the work force or the police profession."

## Not down, just out

His name withdrawn as a candidate for Connecticut public safety commissioner after a number of accusations involving insensitivity to gays and women, State Police Col. **William T. McGuire** retired from the agency on Feb. 1 rather than accept a lesser position.

The reports of McGuire's behavior and a charge that he abused his authority by using State Police resources to investigate critics surfaced after he had been selected by Gov. **John G. Rowland** to serve as commissioner on an interim basis.

His nomination set off a round of controversy in which critics said McGuire, 45, lacked the experience and qualifications for the top job, which includes oversight of State Police operations. McGuire was also implicated in a scheme to pilfer military surplus equipment. The scandal involving Project Northstar, a military surplus acquisition program run by a state trooper, embarrassed Rowland and is said to have prompted the exit of the Governor's first public safety chief, **Kenneth H. Kirschner**. Some of the equipment, apparently, had found its way to his family and members of his staff.

According to a report by *The Hartford Courant*, McGuire acknowledged that he may have made derogatory statements about homosexuals being questioned by attorneys representing a trooper who claimed she was denied promotional opportunities because of her sexual orientation.

"Have I done it publicly?" Never," said McGuire. "If I've done it in the privacy of my home, I guess that's my business."

The announcement of McGuire's decision to step down as head of the CSP came following the Jan. 15 swearing-in of Rowland's newest public safety commissioner, **John A. Connelly**. Connelly promptly chose 53-year-old Maj. **John F. "Jack" Bardelli**, the State Police's most senior officer, as McGuire's successor, promoting him to colonel.

A former commander of the organized crime task force, and most recently, the bureau of information management and telecommunications, Bardelli holds a law degree from the University of Connecticut Law School.

## Hot seat

"Straight shooter" is just one way admirers describe **Raymond W. Kelly**, the former New York City Police Commissioner who stepped down last year as the Treasury Department's undersecretary for law enforcement to take over as commissioner of the U.S. Customs Service.

Kelly's appointment heartened Senator **Dianne Feinstein** (D-Calif.), who had spotlighted some of the agency's problems last February in a Senate speech. The Senator pointed to a steep

decline in the volume of cocaine seized from commercial ports of entry along the U.S.-Mexican border, a situation that prompted Customs officials to hammer out a new strategy that would appease Congress.

The agency's plummeting rate of drug seizures, in fact, is one of the thorniest issues Kelly will be asked to tackle.

Kelly brings to his new post a wealth of varied experience, which includes service as a Marine in Vietnam, as a New York City police officer who rose through the ranks to lead the agency in 1992, and four years with the Federal Government. Kelly was one of many prominent law enforcement executives to help the country of Haiti retool its notoriously corrupt and brutal police department.

Rank-and-file Customs personnel were said to be enthusiastic about the choice of Kelly as their new boss, said Special Agent **Dick Weart**, an agency spokesman. "It's the first time we've had a bona fide law enforcement official come in to lead the agency," he said. "He has the background and credentials of a strong, dynamic law enforcement leader."

Kelly replaced **Samuel H. Banks**, who had led Customs on an acting basis since the resignation of former Commissioner **George Weise**.

## Brother act

Rochester, N.Y., and Miami may not be sister cities in the strictest sense of the term, but they did enjoy the distinction of having brother police chiefs — until this past year.

The brothers **Robert** and **Donald** **Warshaw**, the top cops in Rochester and Miami, respectively, both left their posts in 1998, and in both cases the cities enjoyed near-seamless transitions with the appointment of successors.

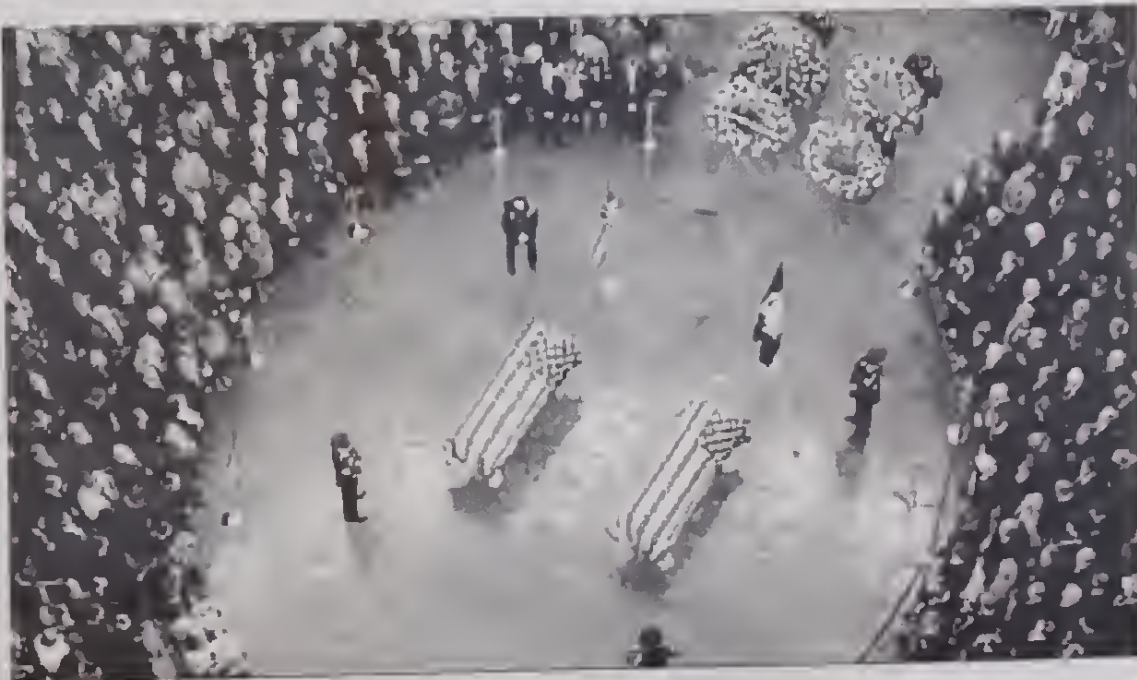
**Robert** **Warshaw** resigned the Rochester job to become associate director of the White House Office of National Drug Control Policy. Taking his place was **Robert J. Duffy**, a former deputy chief of operations who had been the odds-on favorite to succeed the man he considered his mentor — a characterization **Warshaw** didn't argue with.

"I had the opportunity to work under Chief **Warshaw** for four years, which was wonderful preparation for this position," said the 44-year-old **Duffy**, who was sworn in on March 23. "He was committed to my success from his very first day in Rochester, and he really was instrumental in preparing me for this day."

**Duffy**, a 22-year veteran, pledged to continue and enhance the community policing program launched by **Warshaw**. "It's the only way a police department can be successful in driving down crime and raising the level of customer service," he noted.

In South Florida, meanwhile, **Donald** **Warshaw** stepped down in order to take a step up, assuming the job of Miami City Manager, which gave him the chance to hand-pick his own successor. The man he chose was Maj. **William O'Brien**, the head of the department's internal affairs bureau, who took office in October.

**O'Brien**, a 24-year veteran who had spent much of his career in specialized police functions, including SWAT, K-9, aviation and dignitary protection, was one of several contenders for the chief's job who came from **Warshaw's** existing command staff. He has served under eight different chiefs in Miami, but hailed **Warshaw** as "the best we've ever had. Like **Duffy** in Rochester, **O'Brien** said he would continue his predecessor's emphasis on community policing, and promised a "moderate, no-nonsense approach" to his administration.



## Capitol tribute

The bodies of U.S. Capitol Police Officer **Jacob Chestnut** and Special Agent **John Gibson** lie in state in the Capitol rotunda, in a final tribute to the men who gave their lives to stop a crazed gunman who got past a security checkpoint July 24 and started a wild shooting spree in the Capitol.



# Three little numbers with a very big potential for policing

Continued from Page 1

Cohen was an officer in Gardena and Los Angeles County, Calif., for eight years, assigned to every unit from vice to undercover narcotics to the SWAT team.

In 1991, he relocated to Washington, D.C., where he became acting chief investigator for the House Judiciary Committee, and later, a senior policy analyst at the Office of National Drug Control Policy (ONDCP) under drug czar Lee P. Brown.

One of Cohen's duties for Brown, a staunch and long-time advocate of community policing approaches, was to examine how various policing strategies might be used to solve neighborhood drug problems. Cohen began hearing comments by chiefs frustrated by their inability to carry out proactive approaches because they needed to respond to each 911 call. "The challenge for a lot of them was, 'Yeah, I have these great strategies and innovative people who want to spend time on this kind of work, but my department is totally 911 driven,'" he said.

In 1995, Cohen moved into the private sector, taking a position with AT&T, which hired him specifically to look at the law enforcement marketplace and come up with cutting-edge, technology-based solutions to some of the functional issues facing policing. Once able to view 911 from a telecommunications standpoint, the solution to breaking down the 911 tyranny became clear.

In meetings with AT&T technicians working on a project for Fortune 100 call centers, Cohen learned that the technology existed to implement an 800 number that would automatically route calls to the nearest police department, much the way retailers direct calls to the store closest to a caller's location.

"I started thinking, why couldn't you create a single, community-oriented policing number?" Cohen recalled. "Why couldn't you simply educate the public that it's a non-emergency, it would automatically go to the

police department? You could have a public education campaign like 911." Not only would it be easy to implement technologically, but it could be done at a fraction of the cost of 911 — it was all network-based software that would not require any additional hardware.

"We started talking to chiefs and they loved the idea," Cohen said. One of the first law enforcement executives he spoke to about the alternative number was Frazier, with whom Cohen had worked on a number of projects while Cohen was with ONDCP. Frazier, who had set up a communications center as deputy chief in San Jose, was also well versed in the technical aspects of such a project.

Next, Cohen held meetings with numerous chiefs, rank-and-file officers, 911 operators and an assortment of private police groups and law enforcement agencies, including the Police Executive Research Forum, the National Sheriff's Association, the Department of Justice and the COPS office.

Cohen already knew Brann, having been introduced through a mutual friend. As police chief in Hayward, Calif., Brann had tried to develop an alternative mechanism for handling non-emergency calls within his department, but had run into trouble with local phone carriers who had not responded to his initiative. They had discussed the problem while Cohen was still working under Brown and reconnected some months later when Cohen began working with AT&T.

Realizing the huge potential the alternative number held for community-oriented policing, Brann took it up as an issue within the COPS office and became its pointman with the Federal Communications Commission.

While there was across-the-board support for the initiative, the law enforcement community felt strongly that the number should be three digits. The public would not use a seven-digit number, or an 800 number, as readily as it



On hand to mark the opening of the Baltimore Police Department's 311 call center are (l.-r.): COPS Director Joseph Brann; consultant John Cohen; Maryland Lieut. Gov. Kathleen Kennedy Townsend; U.S. Senator Paul Sarbanes; Baltimore police Major Tim Longo, and U.S. Attorney General Janet Reno. The 311 operator in the foreground was not identified.

did 911. And that was law enforcement's own fault, said Brann.

"I don't care how heavily you publicize it, people are too mobile today, they don't stop to try to memorize a phone number for the police department — nor should they," he said. "We, in turn, should be thinking about how to make it easier for them. We created one system that is in fact being abused, but not because the public are idiots. They are just doing what they have been taught to do."

Many chiefs said they would support a national community-oriented policing phone number if it were toll-free and three digits. Proponents of what was to become 311, however, didn't realize how political an issue a three-digit number was. For starters, it threatened the livelihood of sellers and operators connected to the \$2-billion-a-year 911 systems industry. Moreover, as an enhancement to the emergency system under most state legislation, such a number would eliminate a new stream of revenue for telephone companies.

"You have phone carriers in virtually every area of the country charging

surcharges on 911 for every phone line," said Brann. "With the growth that has taken place, there are tremendous revenues that are being generated and have been for many years. And once the initial charges are covered, that's just extra revenue."

"The bottom line," he said, "is that phone companies can easily implement this at no cost at all."

Cohen added, "There was no way AT&T at that time could have access to a three-digit number until the President got involved." Some White House staff had heard about the proposal and thought the idea dovetailed neatly with President Clinton's community policing focus. In a speech one day, said Cohen, Clinton called for an easy-to-use number that could support those strategies. He asked Attorney General Janet Reno and the head of the FCC to meet and reach out to the telecommunications industry to design a system.

"What was so interesting," said Cohen, "was that from a telephone company perspective, 311 was superior to a seven digit or 800 number. Based on these discussions, the FCC put out a draft order asking for comments on whether 311 should be reserved nationally for use as a non-emergency number. The overwhelming response was in favor of it."

The FCC ordered phone carriers in the state of Maryland to make the necessary adjustments to support 311 and on Oct. 1, 1996, Baltimore became the first city to have an operational, non-emergency number.

"That's how 311 came to be," said Frazier. "It took somebody with a law enforcement background and the access to those with technical knowledge — someone who gets it in the private sector; someone who is willing to try it in the public sector; and someone that understands it in funding. It couldn't have happened without all three of us."

The Baltimore Police Department was chosen out of some 20 agencies identified by the COPS office as candidates for the pilot program. Frazier was aggressive about pursuing the project, said Brann, and the department already had some systems in place that would make it easier to implement. Also, the agency did not run into the same problems with Bell Atlantic, its local phone carrier, as were encountered

in some other regions.

Brann said he had wanted to fund some 20 to 30 agencies that would kick off the initiative simultaneously, but Congress had cut the COPS office's discretionary funding during the budget impasse of 1995. It was, however, allowed to pursue those projects it had already committed to, the 311 project in Baltimore being one of those.

Three-one-one is, by all accounts, a boon to community-oriented policing. It has reduced the emergency-call volume in Baltimore by more than one-third, picking up as many as 35 percent of calls each day and restoring as much as 90 minutes to two hours of discretionary time to beat officers for problem-solving initiatives.

It's an especially important tool in major cities. In small towns, conceded Frazier, there may be just six calls a day, regardless of whether there is a 311 or a 911 system. But in Los Angeles, for example, where 225,000 calls a year to 911 are dumped from people who just say "the hell with this" and hang up, the enormity of those numbers indicate that law enforcement had better start looking for an alternative call-handling methodology.

The non-emergency number has also done something significant from a national perspective, said Cohen. It has served to draw into proactive policing strategies that first response between citizen and officer — the phone call.

"I don't think there is a police chief in the world who would disagree with the statement that, generally, the first time a person will communicate a problem to the police department will be over the telephone," said Cohen. "Yet I think there are very few police chiefs around the country who would disagree with the statement that, for the most part, that call coming in is very rarely a part of a strategic, community-oriented policing program."

If you consider that 911 is the driving force in police strategies, he said — "the tail wagging the dog," according to Brann — then it is the telephone company that is greatly influencing law enforcement policy, something that Cohen says he has "always found kind of ironic."

Another reason for 311's success is that it has shown law enforcement how the information coming in over the

## 1998 — the year in review:

# 911 is still not a fact of life for many Americans

In an emergency, nothing is as simple or convenient as dialing 911. But what if your county doesn't have the three-digit service?

According to a 1998 estimate by the National Emergency Number Association, 911 service covers just two-thirds of the U.S., geographically speaking. Many of those who live in the uncovered areas apparently do not want to pay the estimated \$1 million to \$4 million in start-up costs for communications and computer equipment. "We're such a small county we feel like it would be quite a bit of an added expense to have 911," said Macie Roberson, county executive of Lake County, Tenn. "It was something we could not afford."

For areas already dependent on 911, a breakdown of just a few minutes could become a crisis — to say nothing of

what a few hours off-line could mean.

¶ In Los Angeles, central emergency dispatch was shut down for nearly two hours on Dec. 30, forcing calls to be diverted through a backup system to local stations. No unusual levels of crime or fire were reported during the breakdown, caused by a switch failure.

¶ Several weeks earlier, on Nov. 10, a technical malfunction caused 600 Los Angeles police officers to lose communication with the city's 911 operators for three hours. No emergency calls came during the blackout, said city officials.

¶ In Oshkosh, Wis., the Federal Communications Commission worked with local authorities to find an imposition who was interfering with the police radio dispatch frequency.

¶ Mount Laurel, N.J., police are

seeking ways to reduce phony 911 calls. A computer system found that of 11,300 emergency calls phoned in between Jan. 1 and July 7, 782 of them — 14 percent — were "hang-ups."

¶ Sometimes they're not hangups, but they're not emergencies, either. In Overland Park, Kan., police looked for help in responding to the 6,000 calls the department receives each year from lost motorists. The calls cost taxpayers \$100 for every hour an officer spends answering the assistance call.

¶ In Denver city and Denver and Adams counties, a system was tested in 1998 that will allow cellular phone users to transmit their locations to 911 dispatchers. The system uses software inside the handset that interfaces with global positioning system technology to pinpoint a caller's location.



# 311 can open policing's eyes to seeing the potential role of leading-edge high-tech

phone is of critical importance to police officers on the street. There has to be integration, Cohen said, between the 311 and 911 systems, the computer-aided dispatch system and the record-management system maintained by both the department and the city. The department's problem-solving strategies are enhanced exponentially when a caller to 311 reporting a broken street lamp in an alley — an environmental issue that could facilitate criminal activity — can be told immediately that a work order has been issued to repair it the next day. The caller's concerns have been met by just tapping into an accessible data base.

Quality-control initiatives by the Baltimore Police Department, said Frazier, have shown a 311 approval rating of 80 percent to 90 percent.

Even more than the dimension it has added to community policing, 311 represents a watershed in law enforcement's understanding of the role that cutting-edge technology can play in the profession. Traditionally, said Cohen, police chiefs were told by vendors what kinds of systems were available. Very

"This is where city government is going. And its being driven by an idea thought up by a group of police chiefs sitting around talking about community-oriented policing."

often, there was little communication between operational strategic planning and technical strategic planning. It resulted in computer systems that did not meet the needs of the officer on the street.

It is also true that, to a great extent, police agencies were not heavily courted by major technology firms. There didn't seem to be much of a market there, so very little funding was put into research and development for law enforcement uses.

But that's changing. "You're seeing a new, higher level of technology beginning very slowly, because the law enforcement community is a tough place to see a lot change," said Cohen. "You're seeing cutting-edge technology being integrated into [existing] law enforcement technology." Much of that, he added, is coming from the banking industry — retinal scans and advances

in fingerprinting technology are developed at the behest of the credit-card corporations. But law enforcement can easily implement them for its own uses.

The profession, added Brann, has been remiss in not keeping abreast of new technology. Three-one-one does not require millions of dollars in seed money. It doesn't use any trunk lines or any of the expensive, dedicated switches that 911 does. And agencies do not need the type of sophisticated consoles required for 911.

Actually, 311 could be implemented with just a phone and a personal computer. "It could literally be set up so that if you're calling from a particular precinct or even a beat, you could route it directly to the local division or tie into the beat officer," said Brann. "With call-answering services now available, you could stack those calls and get to them as time permits."

The key is to develop a plan, Cohen said. Implementing 311 without careful consideration of how it's going to work at both the front and back ends will not work. Neither will setting up a 311 system to make a 911 system better. Agencies really need to ask themselves how they intend to use 311 to provide a better level of service to citizens. That might scare away a lot of departments, he said, but what major cities are seeing is that 311 can make communities safer by reducing traffic on 911. There is a better chance of getting through in a real emergency.

"You can provide a high level of city services without having to add more staff, because you'll be more effective," Cohen said. "This is where city government is going. And its being driven by an idea thought up by a group of police chiefs sitting around talking about community-oriented policing."

## Reductions that add up to success:

Among the specific gains that have been attributed by the Baltimore Police Department to the implementation of the 311 system:

■ **78.5 percent** decrease in total 911 positions busy;

■ **60 percent** reduction in average answer time for 911 calls;

■ **40 percent** reduction in average abandoned time of 911 calls;

■ **40 percent** decrease in the number of abandoned 911 calls;

■ **68.8 percent** decrease in 911 calls receiving a recording;

■ **26.3 percent** decrease in times 911 operators are busy on calls;

■ **86.3 percent** increase in average time between 911 calls.

## A guided tour of Baltimore's 311 system

When it's "blue lights and siren time," Baltimoreans still dial 911 like most of the rest of the country. But for all other urgent matters that are not bona fide emergencies, city residents have quickly gotten into the habit of using 311, the non-emergency alternative phone number set up two years ago under a Federally-funded pilot program so successful that it has cut the volume of calls for emergency service by 35 percent and rising.

Backed by a \$350,000 grant from the Justice Department's Office of Community Oriented Policing Services, 311 on its first day in use on Oct. 1, 1996, handled 1,400 non-emergency calls for service, said Baltimore police Maj. John Reintzell, Director of the BPD's Communications Division. That figure has since grown to approximately 1,700 calls per day, or more than 600,000 non-emergency calls a year diverted from 911 operators. "That's the workload of a large city in and of itself," he told Law Enforcement News.

The 25-percent decrease in workload for 911 operators, Reintzell said, translates into fewer delays for callers with true emergencies. "You're more likely to get where you need to be if, God forbid, you have a child choking or any of a number of emergencies."

Technologically-speaking, the system looks and acts like a 911 system, but is completely separate, said Sgt. Nelson Herrman, a 36-year veteran who is the 311 System Administrator. The 311 system does not share any of the department's 911 trunk lines or equipment. While it is the state's first and only three-digit alternative number, all of Maryland's regional phone carriers were ordered by the Federal Communications Commission to program switches to recognize the code from wherever a call is generated. Calls from outside Baltimore are intercepted by a message telling callers the service is not available from their location. Within the city, 311 calls are routed to the Police Department.

Running off of a Lotus Notes platform with a customized screen, the system is linked by a Local Area Network that ties 311 operators to all nine police districts and to the city's Neighborhood Service Centers, one in each of the districts, where operators can access information from other city agencies.

At any given time, there are 25 answering positions at the Communications Division where all 911 and 311 calls come in, said Herrman. All operators log into the system as either 311 or 911 operators with distinct ID numbers that determine what kind of calls they will receive. "What it boils down to is that out of 25 positions, any combination of that number can be 911 or 311 to meet the workload," he said. "We don't need to know in advance because all they do is log off and log back on. A supervisor can do that on the fly, if it's required."

There are 56 limited-duty officers available per shift to

work at 311 stations, apportioned based on workload needs. Using restricted-duty officers is one of the system's more ingenious aspects. Unlike 911 operators, they can do preliminary investigations of minor crimes right over the phone, take reports, and offer advice, said Reintzell. It's something that observers predict will be of enormous help to big-city departments.

Said Baltimore Police Commissioner Thomas C. Frazier: "The thing about big-city departments is that they've always got officers who are hurt, or pending discipline and can't be on the street. They are able to staff up these differential response units because of the size of the department. The cities we see coming here [to observe 311] are the biggest cities in the country, the ones with the same call volume we have."

The way Baltimore has set it up, 911 operators can handle 311 calls, but 311 operators cannot jump in to help with 911. However, if an emergency call comes into 311, the limited-duty officer will handle it and not transfer it, said Herrman. The risk of losing the call or delaying it is too great. The department's computer-aided dispatch system, he said, does not care which line the call came in on; it will give it to the dispatcher in order of priority based on the incident reported.

"If a 311 operators puts in an emergency call and 10 emergency operators put in non-emergency calls, that 311 call will go to the top of the line based on the incident, not who sent it in," said Herrman. "This is one of the big advantages when we developed it. We didn't have to etch in stone a lot of things and hope we guessed right."

On the other side of the coin, 911 operators who get non-emergency calls do not hang up and tell callers to dial 311, something Herrman does not believe in. It's not the way to "win friends and influence people," he said. The operator explains to the caller that the situation is not an emergency and makes a transfer to 311. The transfer serves another purpose, as well. As chief number-cruncher for the system, Herrman records the number of calls transferred from 911 to 311. The statistic has proven valuable over the past two years as an indicator that the public knows 311 is out there and is using it, based on the decline of these transfers on a 24-hour basis.

Once a call comes into 311, there are a number of ways an operator can handle it. The first option is to dispatch a car. Just because a call came in on 311 does not mean that it is not an emergency, said Herrman. It may in fact require immediate attention. The second option operators have is to simply provide verbal advice over the phone. These callers are generally people with legal questions, or those who want directions. The third is to access one of the city's Neighborhood Service Centers. The NSCs house a variety of representatives from the city government, including a police sergeant, and personnel from public works, welfare and other agencies.

Police do not fix potholes, but the department does not refuse

any call that comes into 311, including calls for road repair, said Herrman. "We recognized early on that not only do you have to take care of the public's complaints, no matter what they are, but that the public has to perceive that we are taking care of it." The department makes an "all-out effort," he said, to make sure a situation is handled, even if it is not an emergency.

In the case of a pothole, the operator would bring up the system's referral screen, type in the incident, and hit enter, automatically sending the report to the NSC. At the other end, the sergeant tears it off, sees if it is police-related and passes it on to the person responsible for road repair. If it is a police matter — say, a car that has been parked for two months — the sergeant at the NSC would open up a report and assign it to a shift to be investigated. He would follow it up and close out the case.

"Another scenario would be something that needs immediate action," said Herrman. "It could be that there is a pothole out there, but it's big enough to lose a Volkswagen in. In that situation, we would most likely make a referral, but put in the referral that Control One has been notified." Control One is public works, one of three communications systems in the city, including police and fire. It includes every other municipal vehicle with a radio in it. Three-one-one operators could also transfer to the Fire Department, just as 911 operators do.

The strength of the program is that it gives operators time to deal with these different types of situations. Three-one-one operators, said Herrman, are able to talk with callers and try to iron out problems, even take reports over the phone about stolen credit cards and issuing a referral number for insurance purposes. The city also has a nonprofit mediation service to which it can refer callers if both parties in a dispute are willing. "We are always exploring more avenues."

It has also given more time to 911 operators who are no longer "white-knuckled, hair standing on end, running from call to call," he said. The department believes it can still do more in the way of what 311 handles. It is looking at voice recognition software that will help download some calls out of 311. "We're really out there seeing how well-tuned we can make it," Herrman said. The pilot project has been extended until March because Herrman is still buying computer equipment for the LAN.

"My personal opinion is that a finely-tuned 311 program, properly staffed, should be able to handle 50 percent of the workload at 911," Herrman said. "We're averaging 36 percent, but I know we could come up another 10 or 15 points. It is not only going to require a change from us, but from the public to recognize that 911 is an emergency number. If it's blue lights and siren time, that's what you dial."

— Jennifer Nislow



# Spousal abuse hits home for policing

An integrated strategy that makes use of social service agencies and victims advocates to curb domestic violence and protect battered spouses has caught on with a number of police departments that have followed the lead of agencies in San Diego, Nashville, and Mesa, Ariz., which are among those that have such full-response systems in place. But can an approach that has proved so successful with civilians be as effective when the abuser is a cop?

The International Association of Chiefs of Police indicated its acceptance of such a strategy when, in April, it released a model policy aimed at helping departments handle domestic abuse complaints involving officers. It describes a "continuum" approach that arcs from early prevention to loss of livelihood. Praised by many for its "tough as nails" stance, the policy came under fire, however, from an unlikely mix of police organizations and domestic violence experts over its zero-tolerance of convicted domestic abusers.

But if the IACP pointed the way for law enforcement to deal with the problem, a groundbreaking study released in November by the National Institute of Justice, and another study on stalking by the Centers for Disease Control and Prevention, illustrated to law enforcement just how dire the situation is.

"Prevalence, Incidence and Consequences of Violence Against Women: Findings from the National Violence Against Women Survey" painted a grim portrait of domestic abuse in the nation. Among its findings:

¶ During a 12-month period preceding the study's telephone interviews with respondents from November 1995 to May 1996, there were roughly 5.9 million physical assaults against women, either by strangers or intimate partners.

¶ 22.1 percent of respondents said they had been hurt by an intimate partner during their lifetimes.

¶ 1.9 million women are physically assaulted each year in the United States, with an average of 3.1 incidents per victim. The severity of the attacks range from hitting and slapping to being threatened with a gun.

¶ 52 percent of female respondents said they had been attacked by an adult while still a child.

¶ 76 percent of women who had been raped or physically abused since the age of 18 had been victimized by a former husband, cohabiting partner or date.

¶ Women are threatened with guns at a rate of 3.5 percent, as compared to just 0.4 percent for men.

The CDC study, released in July, found that of the 1 million American women stalked each year, the likely stalker was a current or former husband or boyfriend. Four out of five women who were stalked by intimate partners were physically attacked, and 40 percent were sexually assaulted.

While the NIJ report did not differentiate statistics for domestic assaults by police, they are believed to occur with the same frequency that they do among civilians. Said the IACP policy draft, "Acts of domestic violence by a police officer against a partner are no more or less common than acts committed by the general population."

The policy, developed at the request of the Justice Department, outlines a plan that includes requiring officers to periodically receive information, education and training programs; early warning and intervention; 911 response protocols; victim safety and protection, and post-911 administrative and prosecutorial actions.

The model policy puts considerable responsibility on police departments to take note of early warning signs, such as a high incidence of aggressive behavior or injuries while conducting police business. Supervisors are directed to be at the scene of all domestic-violence incidents involving officers, "regardless of the involved officer's jurisdiction." In cases where probable cause exists, it said, police officers implicated in domestic disturbances will be arrested.

The policy also states that departments should maintain a full compendium of referrals for ser-

vices and make sure that officers disclose any type of intimidation or coercion directed at the victim by the accused officer or his colleagues. Investigations are to be kept confidential and restraining orders zealously enforced, it said.

Where the policy ran into trouble with police organizations and at least one domestic abuse expert was the hard line the IACP took with officers convicted of felony or misdemeanor domestic violence. The policy, which mirrors a Federal law, calls for the removal of such officers from enforcement duties, either by reassignment or termination. Disciplinary action, it said, should also be taken against officers who fail to report to superiors any knowledge they have about domestic abuse involving colleagues.

Many police organizations hew to the belief that officers should be exempt from the three-year-old Federal law barring anyone convicted of a domestic violence offense from possessing a firearm. The law has already resulted in numerous officers losing their jobs.

Approaching the issue from a different angle was Jan Russell, who was hired four years ago as the Chicago Police Department's domestic violence advocate. Russell said that depriving an abu-

sive officer of his job was likely to backfire and put his victim in even greater jeopardy.

"The power and control the job has over the abuser can be very helpful in stopping domestic violence," she told Law Enforcement News. "If they fire the officer they no longer have that, and then there's nobody controlling the officer."

There were numerous reports of physical assaults against the spouses and intimate partners of police officers around the country last year, including two murder-suicides by New York City Police Department officers. In September, Officer Patrick J. Fitzgerald shot and killed his wife, their two children and himself at the couple's home in Orange County, N.Y. Relatives of Fitzgerald's wife, Lecane, maintained that she had called her husband's station house to complain about domestic abuse, but no record of any calls could be found. One month later, Det. Frederick Jesselli killed his wife, Monica, and then himself at their Staten Island home. Monica Jesselli was also an NYPD officer. Their bodies were found by their children after they had come home from school.

The tragic incidents called into question whether the NYPD is doing enough to stem domestic violence within its ranks, with some ob-

servers giving the department low marks in that regard. Said FBI Special Agent Donald C. Sheehan, coordinator of the bureau's effort to reduce police family violence, "New York hasn't been able to get a grip on the problem. What it takes is a commitment from the highest level of the department and we just haven't seen that yet," he said.

In other parts of the country:

¶ New Jersey State Police Det. Benny Matos, 35, was charged on Nov. 7 with threatening his estranged wife and a male friend with a gun when he found them together.

¶ Barnesville, Ga., Police Capt. Beth Tessmer testified in August that her husband, David Newton, 27, raped her the night she fatally shot him with her .40-caliber Glock service pistol.

¶ A Superior Court judge refused to let the wife of a Lyndhurst, N.J., police officer drop domestic violence charges against her husband, after he learned it is a classic ploy by victims in such cases. Suspended officer Stephen Cagnacci was held on charges of aggravated assault, terroristic threats, possession of a weapon and contempt for a restraining order. He was arrested in 1997 for holding a loaded gun to his wife's head.

## 1998 — the year in review:

# Choosing up sides on gun control

Granted, there is no pleasing either side in the nation's gun-control debate, and there may never be. But just days after a new FBI data base went on line Nov. 30, replacing the Brady Law's five-day waiting period with instantaneous background checks, the National Rifle Association initiated a court challenge charging the Government with compiling an illegal list of lawful gun purchasers, and gun-control advocates expressed fear of "mile-wide" loopholes due to unreliable state records.

The completion of the National Instant Check System was just one of a number of developments in 1998 as the country continued to struggle with curbing gun-related violence while remaining mindful of Second Amendment rights.

Closely following the successful procedures put into place a decade ago by the state of Virginia, the FBI's \$200-million system is expected to process an average of 15,600 queries a day from licensed gun dealers seeking to verify the eligibility of anyone buying a firearm. The process will help ensure that buyers have not been convicted of a felony such as murder or armed robbery, and are not wanted in connection with any crime. It will also expand a little-known provision of the Brady Law in 34 states by including the purchase of rifles and shotguns.

NICS allows gun dealers to dial a toll-free telephone number linked to two calling centers in West Virginia and Pennsylvania. While the potential purchaser waits, workers at the calling center check the data base to see if there is any reason why the customer should be disqualified. The process is said to take no more than a few minutes.

If a potential buyer is disqualified after an initial check, the FBI then has three days to conduct a more thorough investigation into the reasons why. If after that time, nothing turns up, the purchaser can take his gun home.

While there is great promise for NICS, say gun-control advocates and foes alike, it does not truly satisfy either faction's needs.

One of the biggest concerns voiced by gun-control supporters is that state records do not keep some information which could be key to disallowing the purchase of a gun — such as domestic abuse, court-imposed restraining orders and mental incompetence.

According to research done by USA Today, just 19 states are able to check those categories. In 28 states, for example, privacy issues bar access to mental health records including involuntary, court-ordered commitments. Convictions for

misdemeanor domestic abuse are enough to disqualify a gun buyer under Federal law, but eight states do not have those laws. In three states, judicial orders of protection are not tracked — something that under Federal law would make a customer ineligible.

"There's a whole gamut of people out there who are going to fall through the system," said Sarah Brady of Handgun Control Inc. "It's going to create loop holes that are a mile wide and a mile deep."

On the other side of the issue stands the National Rifle Association, which filed a lawsuit on Dec. 2 to block the NICS. The group focused its ire on a plan by the FBI to keep a file of six-months' worth of transactions for auditing purposes to determine whether gun dealers are following the law, likening the plan to the creation of a central registry of firearm purchases.

In New York, Chicago and other cities, lawsuits are planned as well — but these will put municipal officials against the nation's gun manufacturers in an effort to make the industry pay for the violence their products wreak in the hands of criminals.

Chicago's Mayor Richard Daley is seeking \$433 million from the industry, accusing it of saturating the city's suburbs with more guns than could be purchased by law-abiding citizens. In a recent sting operation, undercover police officers posing as gang members were able to buy guns from dealers in outlying areas. Handgun manufacturers are being sued in New Orleans by Mayor Marc Morial to recover the cost of police and emergency services and health-care costs associated with gun violence.

Those cities and others considering such action will be following closely the case of *Hamilton v. Accu-Tek*, a suit filed in the Federal District Court in Brooklyn by the relatives of the victims of gun violence. It will be the first to rely on new Federal data that challenges the long-held view that most crimes are committed with stolen guns.

Research by the Bureau of Alcohol, Tobacco and Firearms indicates that 48.8 percent of the confiscated guns it could trace had been sold by a licensed dealer within the past three years. The figures were based on a study of all handguns seized in 17 cities during 1996 and 1997. Moreover, 90 percent of the guns used in crimes in New York were brought in from just five states: Virginia, Florida, Georgia, North Carolina and South Carolina. All have comparatively lax gun-control laws.

The ATF findings have been contested by gun-industry spokesmen, who say the data fail to take into account the large number of guns that for whatever reason cannot be traced. Officials from ATF and its parent agency, the Treasury Department, however, maintain that the data had been carefully weighted to take those firearms into account.

Given the opportunity last year to put its money where its mouth is, the NRA accepted an invitation by Mayor Ed Rendell of Philadelphia to have the group join in a crackdown on gun violations in the city by requiring the Justice Department to prosecute all Federal weapon offenses. Of the largest U.S. cities, Philadelphia has the highest proportion of murders and robberies committed with guns. More than 400 people a year have died of gunshot wounds there every year since 1989.

"I agree that such an initiative would produce dramatic results," Rendell wrote to NRA president Charlton Heston.

The NRA has long contended that firearms violence stems not from lax gun laws but from a lack of enforcement. At the NRA's convention in Philadelphia, Heston had proposed singling out one city as a zero-tolerance zone for Federal gun offenses by increasing the number of Government investigators and prosecutors. Philadelphia took the challenge.

Among other firearms-related developments occurring around the country in 1998:

¶ A poll by the Center to Prevent Handgun Violence in November found that some 42 percent of American households with children ages 3 to 17 also have guns in the house. Among those homes surveyed, 7 percent have handguns, 17 percent have rifles or shotguns and 18 percent have both a handgun and a long gun.

¶ In April, President Clinton announced a permanent ban on 59 models of foreign assault rifles that had continued to be imported into the U.S. through a loophole in the 1989 executive order banning the importation of military-style semiautomatic weapons. The National Rifle Association vowed to lobby Congress to overturn the ban.

¶ A committee of the National Research Council in October rejected suggestions from the Clinton Administration that chemical-taggant technology be immediately implemented, citing a relatively low threat level from illicit explosives using black or smokeless gunpowders, and an absence of definitive research proving that the chemical additives can make explosives more detectable.



# On the side of the law — or are they?

Sad to say, but sometimes in policing you have to look twice to tell the good guys from the bad guys. In 1998, as in years past, police agencies across the nation found arresters becoming arrestees, charged with sexual assaults, domestic violence, corruption and even murder — a wide variety of criminal behavior that ran the gamut from the tragically misguided to the truly shocking.

Corruption took many forms, as a roundup of examples from around the country shows, but none seemed so systemic as that found in police departments in West New York, N.J. and Cicero, Ill. In both cases, the agencies were so riddled with illegal activities that their entire command structures had to be dismantled.

In West New York, Police Chief Alexander V. Oriente and eight either former or current officers — including Oriente's son — were charged on Jan. 13 in a 69-count Federal indictment that alleged the officers had received at least \$600,000 between 1989 and 1997, much of it revenue from illegal gambling machines. The police "encouraged and coerced" local merchants to install the machines, and leaked information about impending law enforcement actions, prosecutors said.

A 20-year veteran, Carmine Gaeta, pleaded guilty in Federal court in March to taking bribes in exchange for protecting illegal video gambling operations. He was the fifth officer to plead guilty to corruption charges in the case. Both Orientes also pleaded guilty to felony charges.

Forty officers — nearly one-third of the Cicero

Police Department — were fired or suspended, accused of extortion or violating the town's residency rule, an offense which observers said was used merely as a ruse to remove attention from those suspected of more egregious wrongdoing.

The situation led to the resignations of Police Superintendent David Niebur and Phillip Bue, his top deputy, just one day after both were suspended for what they claim was their aggressive exposure of municipal corruption. The police officials charged that officers were making thousands of dollars a month shaking down illegal immigrants. Police officers with extensive criminal histories were often hired, they said, because background checks were not done.

As of May 6, 25 Illinois state troopers and Cook County sheriff's deputies began working alongside the remaining Cicero officers. Lieut. Col. Robert T. Johnson of the State Police took temporary command of the Cicero department.

Among other corruption cases involving police agencies and individual officers were:

¶ Copperhill, Tenn., Mayor Jennelle Kimsey-McGee, and her husband, Police Chief George McGee, were indicted in January on charges that the Mayor awarded a waste-treatment contract to her husband's company without soliciting other bids. Three other police officers, the vice mayor and a former city recorder were indicted as well.

¶ Starr County, Tex., Sheriff Gene Falcon and six other public officials were indicted in January on charges they took kickbacks from a bail bondsman in return for inmate referrals.

¶ Noel Noguez, the 20th officer accused in the Miami "River Cops" scandal, was convicted of perjury. The 10-year-old case exposed a plan by a corrupt group of municipal police officers to rip off drug smugglers on the Miami River.

In addition to outright thievery, there were also numerous cases of police officials trying to feather their nests through cheating in a variety of ways. Some officers lied to help themselves and others avoid misconduct charges.

¶ A three-year corruption scandal in North Carolina ended in February with the firings of two Highway Patrol supervisors and the demotion of a third. Sergeants Terry Putnam, 42, and Gregory Wood, 38, were found to have lied to investigators about their involvement with a local businessman, Don Thomas, who was convicted in 1996 in connection with a fencing operation.

Putnam was dismissed for making false claims to collect workers' compensation for an injury that occurred while he was moving heavy machinery for Thomas. Thomas hired off-duty officers to unload his products, which were often truckloads of stolen merchandise. Wood was demoted for discussing with Thomas ways to dispose of traffic offenses against him. He also accepted money from Thomas which he delivered to a defense attorney to help the businessman and an unidentified person, according to patrol documents.

In an unrelated case, Sgt. Charles Garner, 48, was fired for lying to investigators in test-doctoring probe. Garner admitted to investigators that he raised an undetermined number of applicants' test scores in 1994.

¶ In a scandal that newspapers dubbed "Testgate," 55 Suffolk County, N.Y., police officers faced dismissal in connection with an entrance examination meant to increase diversity in the ranks. They were accused of submitting false information about their backgrounds in order to get better rankings on the hiring list.

Acting on complaints about cheating and favoritism in the hiring and promotion of officers, a five-member review panel determined that officers "engaged in a pattern of inconsistencies indicative of fraud."

In a related development, county officials backed legislation that would prohibit officers from teaching police exam-prep courses. Some of the 55 officers facing dismissal were attendees at a class given by a detective sergeant who, prosecutors charged, obtained a copy of an ideal officer profile and used it to teach a course attended by relatives of high-ranking police officials.

¶ A tax preparer in Georgia pleaded guilty in March to Federal tax-land charges, after admitting that he helped more than 100 Atlanta and Fulton County law enforcement officers falsify their tax returns for the past several years. "I did so many of them for police officers, it's mind-boggling," said the tax preparer, Ed Grant. "I knew it was wrong. They knew it was wrong, too."

¶ The former president of the New York City Transit Police union, Ronald Reale, and three of the union's lawyers were convicted Jan. 26 on racketeering and conspiracy charges. The former head of the city's housing police union, Jack M. Jordan, testified about a 1996 scheme by Reale to illegally obtain matching funds from the city for a race for public office. Jordan pleaded guilty to perjury before a grand jury.

It wasn't just money and lies in 1998, either. In many cases, officers were found to have engaged in a variety of violent criminality such as domestic abuse, sex crimes and murder.

¶ A one-time Medal of Valor winner, Dallas Senior Cpl. Al Durst, was the subject of a statewide manhunt in June after allegedly shooting his girlfriend in the head. The victim, Elendia McPherson, was not seriously injured. The bullet did not penetrate her skull.

¶ Carl Selby, a former Philadelphia police officer, was ordered to stand trial for the murder of his wife, Pam Selby, 35. He was allegedly having affairs with three other women and had taken out a \$300,000 insurance policy on his wife.

¶ A board member of Miami's Crime Stopper program, former city police officer Guillermo Blanco was arrested in August on charges of taking a 14-year-old boy to New York for sex. He is also accused of taking indecent photographs of Law Enforcement Explorers.

¶ A former Hartford, Conn. police officer, Joao Q. Nunes, 39, got five years in prison in January for drugging a civilian colleague and sexually assaulting her.

¶ Three supervisors at the New York City Police Department's Midtown South Precinct were transferred in a scandal alleging that officers received sex in exchange for protecting a Manhattan brothel. The practice was said to have been going on for as long as 15 years.

¶ Pioneer Village, Ky. Police Officer Bart Adkins, 25, was fired after being charged in the death of a 17-month old girl he had been watching. An autopsy of the baby, who was the daughter of Adkins's girlfriend, indicated she had been "bashed" against the wall, beaten and shaken.

¶ The death penalty will be sought against a former New York City housing police officer, John Cuff, who was a reputed enforcer for a Harlem drug dealer. Cuff, an officer from 1981 through 1986, was charged with eight murders, and reportedly confessed to a ninth.

¶ A deputy sheriff in Erie County, N.Y., Juan A. Roman, allegedly shot his wife to death on May 1 at a local elementary school.

¶ New York City Police Officer Richard D. DiGiulio was convicted Oct. 24 by a Westchester County jury in the murder of Charles Campbell, 37, in a dispute over a parking space.

## 1998 — the year in review:

# Something for everyone in high-tech

From tracking juvenile parolees via satellite to surveilling the everyday activities of the general public with lamppost-mounted video, law enforcement agencies across the country last year tried to extend their eyes and ears through electronic devices that enhanced, increased and expedited their crime-fighting capabilities.

And it wasn't all just camcorders, either — although there were plenty of those. Metal detectors and electronic scanners appeared at more airports and Federal facilities. Fingerprinting systems were upgraded for speed and wireless communication made its way into agencies' cruiser fleets.

¶ In Wilmington, Del., 10 street corners chosen for their high incidence of crime were outfitted in October with cameras that can survey street activities up to four blocks away. New York City's Central Park, Washington Square Park and several public housing projects were due to receive video cameras in light of a 21-percent decline in crime since cameras were placed in Harlem's Grant Houses in July.

¶ Video cameras have been approved for police vehicles in Trumbull, Conn., and were installed in New Jersey State Police cruisers.

¶ In an effort to keep drugs out of schools, vandalism down and better collect evidence of violations, high school campuses are "going massive wide" with video cameras and K-9 dogs. In one case, officials in Fairfax, Va., proposed in March the installation of as many as 32 cameras inside and outside schools.

¶ A \$4.2-million upgrade is in the offing for the Pennsylvania State Police's Automated Fingerprint Identification System. The upgrade will make the AFIS-21 system a more powerful identifier and give the agency the ability to recognize fingerprints without operator intervention. In West Virginia, State Police Superintendent Gary Edgell asked last year that the state come up with the \$395,000 necessary to receive matching Federal funds to purchase a \$1.8-million automated fingerprint identification system. West Virginia is the only state that does not have one, he said. The Maryland Automated Fingerprint System, which is capable of matching fingerprints of suspects to prints left behind at crime scenes, has so far linked

at least 435 offenders to unsolved crimes, including four homicides, 65 rapes and 59 robberies.

¶ Taking electronic monitoring to a stratospheric new level, a new system uses global positioning system technology to keep closer tabs on juvenile parolees. The ComTrak system, produced by Advanced Business Sciences of Nebraska, works by outfitting the parolee with a tamper-proof bracelet and a four-pound tracking unit resembling a laptop computer that must be with the individual at all times. The unit receives constant signals from three orbiting satellites that calculate the unit's global coordinates, then transmit them to the ComTrak communications center. That information is in turn transferred to the appropriate law enforcement agency via fiber optic lines.

¶ At the State Capitol Complex in Harrisburg, Pa., a \$5-million plan to install electronic scanners to screen for weapons got underway last year. The project includes surveillance cameras and automatic door locks for outside entrances. A hand-scanning identification system was due to be installed at Honolulu International Airport, patterned after a system that was unveiled in June at the Los Angeles International Airport.

¶ A new wireless communication system purchased by the Pittsburgh Police Department with \$12 million in matching funds from a Justice Department CopsMore grant will provide a common computer network platform from which officers can access a wide variety of criminal justice data banks, either in their cruisers or at the station house. The system will also include the installation of "silent-dispatch" technology.

Even as improvements were being made in some jurisdictions, there were some drawbacks to having such a sophisticated array of computerized conveniences, as the need for upgrades — and the lack of funding for them — strained a number of police agencies.

The completion of a \$4.2-million upgrade of the Northeast Ohio Regional Information System, which provides criminal history and related records to 44 law enforcement agencies, is already three years behind schedule and more than \$1 million in the hole to a contractor who went out of business in 1996 before delivering the goods.

The project has had to be restarted virtually from scratch. A new firm hired to complete the upgrade is currently in the engineering phase and plans to be on target with completion dates so as to avoid any potential glitches surrounding the Y2K computer problem.

In New York, a \$17-million project to link a computer-aided dispatch program to the enhanced 911 system is also three years behind schedule. The updated CAD system is intended to improve response time and deployment through the automatic tracking of patrol cars and by providing dispatchers with digitized maps showing their whereabouts. Problems with the software developed by MCI Systemhouse have limited the usefulness of portable computers that are now a fixture in every squad car. Some city officials have speculated that it will take five more years to complete the project.

Another crucial problem that came to the fore last year was the need for more space for public safety on the radio spectrum. Hundreds of law enforcement agencies have told the Justice Department that they need additional frequencies to be able to communicate more effectively with their own agencies and other responders.

As traffic in the five bands between 25 and 869 megahertz reserved for law enforcement continues to grow, so do communication problems. Associate Attorney General Raymond Fisher, who is spearheading the DOJ's efforts to address the issue, said the agency would like to see the Federal Communications Commission begin the process of reallocating to public safety use some 24 megahertz currently set aside for UHF television channels.

And what of the Y2K bug? A Congressional report listed the Justice Department as the Federal agency least prepared for the massive disruption in computer-driven activities that some foresee as the year 2000 dawns. The FBI, whose data bases are part of daily life for most police agencies, is one DOJ unit that hopes to be well prepared for the millennium. A senior executive has been designated to lead a bureau-wide effort, through the Criminal Justice Information Services Advisory Policy Board process, to address Y2K-related issues.



# Abortion battle daubed with a cop's blood

The ongoing, seemingly intractable public debate over abortion rights in 1998 was framed in blood, claiming the lives of a police officer and a doctor, and the escalating violence was sufficient to grab the official notice of the Justice Department.

On Jan. 29, Birmingham, Ala., Police Officer Robert Sanderson, 35, became the first death in a clinic bombing in the 25 years since the Supreme Court legalized abortion. He was killed when a massive explosion tore through the New Woman All Women Health Care clinic, where he worked off duty as a security guard. A nurse at the clinic, Emily Lyons, 41, was critically injured in the bombing.

Then on Oct. 23, an Amherst, N.Y., gynecologist, Dr. Barnett Slepian, was fatally shot by a bullet from a high-powered rifle that pierced his lung. He was returning from a synagogue where he had gone to mark the anniversary of his parents' deaths. Slepian was the third abortion provider to be killed since 1993.

That appeared to be enough for the Justice Department, which announced in November the formation of a multiagency task force to investigate anti-abortion violence and look into the

possibility of a nationwide conspiracy. The unit would be similar to one created in 1996 to probe a series of arson fires targeting predominantly black churches.

Several years ago, an 18-month investigation by the DoJ was unable to find any direct evidence of a network of anti-abortion terrorists.

The task force is due to be led by Bill Lann Lee, acting assistant attorney general in charge of the Justice Department's civil rights division. The department is also considering legal action against an Internet site that posts personal information on about 225 doctors who perform abortions.

The web site provides the doctors' home and office addresses, photos and videos of them, according to family and friends. A line is drawn through the names of those doctors who have been killed. Those who have been shot but are still working are listed as wounded, and those who are unharmed are listed as working.

"We are now heavily engaged in developing a new plan, which will build on what we've done already," said Associate Attorney General Raymond Fisher. "We should be able to announce that very soon."

The bomb at the Birmingham clinic went off at 7:30 A.M., just as the center opened, blowing a crater into the ground and shattering windows a block away. It came just a week after the 25th anniversary of the Roe v. Wade decision by the Supreme Court.

An eight-year veteran of the force who had just arrived for his moonlighting shift when the bomb went off, Sanderson was known to both anti-abortion activists and clinic staff members, who considered him "a fair-play officer" who tried to protect both sides. He was mourned in Birmingham, where he had once saved a woman from a burning building by placing himself below her when she jumped.

More than 100 bomb investigators from Alabama, Georgia and the U.S. Bureau of Alcohol, Tobacco and Firearms converged on the scene, looking for any evidence that could tie the explosion to three others in the Atlanta area. In those cases, a second bomb was timed to explode while rescue workers were responding to the first. For that reason, police let no one near the site in Birmingham once Sanderson and Lyons were removed.

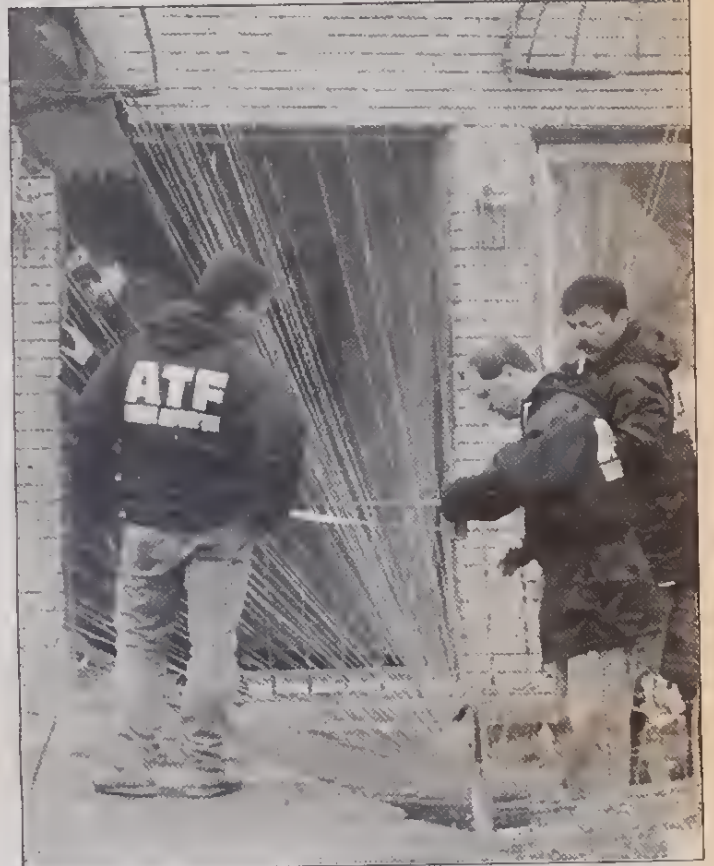
In February, Federal officials listed a 31-year-old North Carolina man, Eric

Robert Rudolph, as a material witness. A gray Nissan truck traced to Rudolph was seen speeding away from the clinic as the bomb exploded, and witnesses reported seeing a white man shed a wig as he walked toward the truck. But Rudolph effectively vanished and has not been seen since Jan. 30. His vehicle was later found stuck in the mud and apparently abandoned in a pasture.

Investigators seeking links between the Birmingham clinic bombing and the three others in Atlanta last year believe

abortion services, the period around Veterans Day and Canada's Remembrance Day in October and November are even more dangerous than other times of the year. In fact, law-enforcement officials in western New York state issued safety tips to doctors on Oct. 20 because four sniper attacks on abortion providers — three in Canada and one in Rochester — during the past four years all occurred in the weeks surrounding Nov. 11.

Three days later, on the day that the



Federal agents take measurements outside a women's health clinic in Birmingham, Ala., where a bombing killed an off-duty police officer. The strings, which denote blast debris, converge in a hole in the sidewalk near the clinic's entrance. (Wide World Photo)

that Rudolph may be part of a group, the Army of God, responsible for a string of explosions during an 18-month period, including the 1996 blast at Centennial Olympic Park in Atlanta, which left one woman dead and 111 injured.

In all cases, nails were a major component in the devices. Days after the Birmingham bombing, the FBI intercepted letters to news organizations in Atlanta and to Reuters that claimed the carnage in Birmingham was the work of what is believed to be a loosely knit confederation of radical abortion opponents.

An intensive manhunt for Rudolph by Federal agents was launched in the rugged hill country of western North Carolina. The bombing task force made a personal appeal to the suspected bomber, and even bear hunters were asked by authorities to keep an eye out for him.

The Army of God first gained notoriety in 1982, when an abortion provider and his wife were kidnapped in Granite City, Ill. During the 1980s, other acts of arson and vandalism were attributed to the group. Five years ago, an Army of God manual that details 99 ways to stop abortions, including bombings and terrorism, was dug up in the backyard of Shelley Shannon, an Oregon woman convicted in 1995 for the murder of Dr. George Tiller, an abortion provider.

For doctors and clinics providing

51-year-old Dr. Slepian was killed, local police said that his wife had faxed them warnings of possible violence that she had received from the National Abortion Federation, a group of abortion providers. Police, however, said Lynn Slepian did not request police protection. "We received a fax from Mrs. Slepian, and she didn't ask for help," said Amherst Police Chief John Askey. "We did not make a conscious decision not to help. I regret the doctor is dead."

Slepian performed abortions at the Buffalo GYN Women's Services, a private clinic. He was killed by a gunman who investigators believe hid in the strip of woods behind his house and used a high-powered rifle to fire through the kitchen window. Slepian's wife and four young children were all in the house at the time.

The FBI said it would offer \$100,000 for information leading to the arrest of the doctor's murderer. The only lead so far has been the identification of a Vermont man, James Charles Kopp, who is sought for questioning as a material witness. A jogger in Slepian's neighborhood spotted a 1987 black Chevrolet registered to Kopp about two weeks before the killing.

Kopp, who goes by an Internet name of "Atomic Dog," has a long history of anti-abortion activities, including several arrests. At year's end, Kopp was still at large.

## Headlines are not enough

Affirmative-action programs looking a little black & blue

The jury is still out on community policing

Shedding the armor of the future

Time to rethink academy & field training

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# Justice by the numbers:

*A sampling of statistics about criminal justice in the United States, vintage 1998.*

**1.5:** Number of miles that candidates for law enforcement positions with the South Eastern Pennsylvania Transit Authority have to run in 12 minutes to pass the physical fitness entrance exam.

**3:** Number of years behind schedule of an upgrade of the Northeast Ohio Regional Information System.

**4:** The number of times per 10,000 calls for service that police use force, according to a report by the International Association of Chiefs of Police.

**8:** The number of her own children that a 70-year-old Philadelphia woman is accused of smothering with a pillow beginning in 1949.

**10:** The number of state police agencies and highway patrols at the bottom of a list of 100 U.S. law enforcement agencies based on the number of women in their ranks, according to the National Center for Women in Policing.

**13:** The percentage that murders, robberies and assaults committed by gun-toting criminals dropped in New Jersey last year. The 8,005 such crimes represented the lowest number recorded since 1987.

**15:** The number of Los Angeles police officers killed in the line of duty since 1990.

**25:** The percentage of Rhode Island's law enforcement agencies that provided information on police brutality to researchers, in a survey to test compliance with the state's Open Records Law.

**30:** The number of minutes it takes using "Megan's Mapper," a computer program that utilizes geographic information system technology, to notify Huntsville, Ala., residents when a sex offender moves into the neighborhood.

**37:** The number of counts of rape, sodomy and sexual abuse of a child on which a former Middletown, N.Y., police officer was indicted in August.

**44:** The number of Cleveland police officers arrested by Federal authorities in one of the largest police corruption investigations in recent memory.

**48:** The number of hours New York City police officers are allowed to wait before having to answer police officials' questions about possible misconduct. The controversial rule looked as though it would be eliminated last year after a tentative agreement was reached between the union that represents police sergeants and the city.

**\$50:** The approximate value of underwear stolen by a 43-year-old Florida man who was sentenced to life in prison for

the crime. The defendant was sentenced under a state law that mandates those who commit certain violent crimes within three years of being released from prison receive the maximum prison term for their latest offense.

**54:** The number of murders committed in New York City during a 28-day period ending Aug. 2 — a 24-percent plunge from the same period in 1997.

**54:** The number of black officers in the 2,700-member Suffolk County, N.Y., Police Department.

**69:** The percentage of respondents who favored stricter gun control laws, according to a Harris poll.

**72:** The percentage of Ohio residents polled who said they felt "very safe" in their neighborhood.

**82:** The age of Milwaukee, Wis., Det. Lieut. Andrew F. Anewenter, one of the honorable-mention winners in this year's IACP/Parade Police Officer of the Year awards.

**84:** The percentage of Americans polled who believe that tougher criminal penalties are the answer to the nation's drug problem.

**126:** The minimum sentence in years imposed on Edward Lee "Pacman" Jackson Jr., a Chicago police officer identified as a ranking member of the Conservative Vice Lords street gang. Jackson and other officers who were also given unusually stiff sentences in the Austin 7 corruption scandal stole money and narcotics from drug dealers.

**300:** The percentage by which pet adoptions in Guilford County, N.C., went up after Sheriff B.J. Barnes televised the mercy killing of an unwanted animal.

**435:** The number of offenders linked to unsolved crimes by the Maryland Automated Fingerprint Identification System.

**500:** The number of officers on the 3,600-member Washington, D.C., police force who were accused of wrongdoing during the first six months of 1998.

**510:** The total number of law enforcement agencies to have earned national accreditation under the Commission for the Accreditation for Law Enforcement Agencies.

**514:** The number of fingerprints identified in 1997 by the 1998 winner of the Dallas Police Department's Officer of the Year award. Detective Shari Degan identified the most fingerprints of anyone in the country who uses the Automated Fingerprint Identification System.

**700:** The weight in pounds of a bell made from melted guns collected by the Blessed Sacrament Church in Bridgeport, Conn.,

a city with a per-capita murder rate twice that of New York City, according to FBI statistics.

**848:** The percentage that juvenile drug arrests have risen in North Dakota over a six-year period.

**1,186:** The number of wiretaps authorized in 1997 by the Administrative Office of U.S. Courts.

**7,000:** The number of convicted sex offenders about whom callers to New York state's Megan's Law hot line can get information.

**30,000:** The number of the pieces of evidence presented to Boulder, Colo., District Attorney Alex Hunter by a panel of 16 experts convened to help solve the murder of 6-year-old murder victim JonBenet Ramsey.

**35,000:** The number of people arrested since 1994 under North Carolina's "Booze and Lose It" anti-DWI campaign.

**\$500,000:** The amount awarded to two black men in Florida who spent nine years on death row for a double murder they did not commit. The money came nearly 25 years after their sentences were vacated.

**\$600,000:** The amount that former West New York, N.J., Police Chief Alexander V. Oriente and others in the department received in illegal revenue from electronic poker machines between 1989 and 1997.

**\$775,000:** The amount awarded to the family of a woman killed during a West Virginia State Police pursuit that was being filmed by the television show "Real Stories of the Highway Patrol."

**\$24 million:** The amount that Los Angeles County was ordered to pay to a group of Samoan-Americans after deputies were found to have used excessive force in breaking up a 1989 bridal shower in Cerritos. The award is believed to be the largest civil rights judgment in state law enforcement history.

**\$30 million:** The amount of fees collected since January 1992 by Maryland's Division of Parole and Probation from criminal offenders, including those under community based supervision, parolees and enrollees in the Drinking Driver Monitoring Program.

**\$44 million:** The amount of revenues lost by the city of New York due to a ticket-writing slowdown by officers angry over contract negotiations.

**\$200 million:** The amount spent for the National Instant Check System, a computerized system that will provide instant background checks for gun purchasers, taking the place of the Brady Law's five-day waiting period.



## Searching, but not finding

Navajo police investigator Leroy Deale inspects the inside of a natural cave last August near Montezuma Creek, Utah, in search of two fugitives suspected of killing Cortez, Colo., Police Officer Dale Claxton on May 29. After an initial massive manhunt near the Utah-Colorado border was called off, Navajo police continued the search for suspects Alan Pilon and Jason McVean, who remain at large. (Wide World Photo)



## LEN's 1998 People of the Year: The creators of the 311 non-emergency phone system

Ending the  
"tyranny of  
911," while  
contributing to  
the success  
of community  
policing  
efforts.

See Page 1.



## Plus: Our annual review & analysis of the year's events

As community policing comes of age, law enforcement moves along parallel tracks of introspection & outreach. On Page 1.

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### The Law Enforcement News "Person of the Year" Honorees:

1984: Pierce R. Brooks, founder of the Vi-CAP serial-murder tracking program.

1985: Rudolph W. Giuliani, organized crime-fighting U.S. Attorney.

1986: Prof. Herman Goldstein, father of problem-oriented policing.

1987: Sheriff Michael Hennessey, leader in the development of humane responses to AIDS in the criminal justice system.

1988: Dr. David Werrett, DNA crime-profiling pioneer.

1989: The team of public- and private-sector personnel who revised the Uniform Crime Reporting program into the new National Incident-Based Reporting System.

1990: Rep. Matthew G. Martinez, prime mover of the Police Recruitment and Education Program.

1991: The Independent Commission on the Los Angeles Police Department.

1992: The Robert W. Johnson Foundation, sponsors of the "Fighting Back" substance-abuse reduction program.

1993: Sgt. Joseph F. Trimboli, dogged pursuer of New York police corruption.

1994: The makers of the 1994 Violent Crime Control Act.

1995: Oscar Newman, pioneer of crime prevention through environmental design.

1996: The people behind the NYPD's crime-smashing Compstat process.

1997: The Boston Gun Project Working Group.

1998: ? (See front cover.)